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LEGISLATIVE HISTORY

Public Law 85-456  
H. R. 12602

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Index and summary of H. R. 12602

May	21, 1958	Rep. Gathings introduced H. R. 12602 which was referred to the House Agriculture Committee. Print of bill as introduced.
May	22, 1958	House committee ordered H. R. 12602 reported.  Senate Agriculture and Forestry Committee reported S. 3890 an original bill. S. Report No. 1626. Print of bill and report.
May	26, 1958	House committee reported H. R. 12602 with amendments. H. Report No. 1772. Print of bill and report.
May	27, 1958	House passed over H. R. 12602 on objection of Rep. Hagen.
May	28, 1958	House passed H. R. 12602 as reported.  Senate passed S. 3890 without amendment.
May	29, 1958	Senate passed H. R. 12602 without amendment. Print of bill as passed.  S. 3890 indefinitely postponed due to passage of H. R. 12602.
June	11, 1958	Approved: Public Law 85-456.



DIGEST OF PUBLIC LAW 85-456

TRANSFER OF COTTON ACREAGE ALLOTMENTS DUE TO NATURAL DISASTER. Amends the Agricultural Adjustment Act of 1938 so as to provide that in counties where 1958 farm cotton acreage allotments cannot be timely planted or replanted because of a natural disaster, the Secretary of Agriculture may authorize all or a part of the farm acreage allotment to be transferred to another farm, except to a farm covered by a 1958 acreage reserve contract for cotton, in the same county or in an adjoining county for the planting of cotton in 1958.









85TH CONGRESS  
2D SESSION

# H. R. 12602

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1958

Mr. GATHINGS introduced the following bill; which was referred to the Committee on Agriculture

---

## A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That section 344 of title III of the Agricultural Adjustment  
4       Act of 1938, as amended, is amended by adding at the  
5       end thereof a new subsection (n) reading as follows:

6       “(n) Notwithstanding any other provision of this Act,  
7       if the Secretary determines that because of a natural disaster  
8       a substantial portion of the 1958 farm cotton acreage allot-  
9       ments in a county cannot be timely planted or replanted,  
10      he may authorize the transfer of all or a part of the cotton

1 acreage allotment for any farm in the county so affected it  
2 another farm in the county or in an adjoining county on  
3 which one or more of the producers on the farm from which  
4 the transfer is to be made will be engaged in the production  
5 of cotton and will share in the proceeds thereof, in accord-  
6 ance with such regulations as the Secretary may prescribe.  
7 Acreage history credits for transferred acreage shall be  
8 governed by the provisions of subsection (m) (2) of this  
9 section pertaining to the release and reapportionment of  
10 acreage allotments. No transfer hereunder shall be made to  
11 a farm covered by a 1958 acreage reserve contract for  
12 cotton.”

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

REPORT OF THE  
COMMISSIONERS OF THE  
BOARD OF PHYSICS  
AND ASTRONOMY  
FOR THE YEAR 1900

BY THE

COMMISSIONERS OF THE  
BOARD OF PHYSICS  
AND ASTRONOMY

A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

By Mr. GATINGS

MAY 21, 1958

Referred to the Committee on Agriculture







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued May 23, 1958

For actions of May 22, 1958

85th-2d, No. 81

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

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HIGHLIGHTS: House agreed to conference report on Interior appropriation bill. House committee ordered reported bills to permit transfer of 1958 cotton allotments due to excessive rainfall and to increase allotments for extra-long staple cotton seed. Senate committee reported bill to permit transfer of 1958 cotton allotments due to excessive rainfall. House debated Alaska statehood bill. Sen. Williams criticized large payments to farmers under Soil Bank. Sen. Humphrey introduced and discussed marketing facilities improvement bill.

### SENATE

1. COTTON ALLOTMENTS. The Agriculture and Forestry Committee reported an original bill, S. 3890, to permit the transfer of 1958 farm acreage allotments for cotton in cases of natural disaster (S. Rept. 1626). p. 8311
2. SOIL BANK. Sen. Williams criticized the large payments made to certain individuals under the Soil Bank program, and listed the statistical breakdown of payments over \$10,000 per farm. pp. 8319-20
3. FOREIGN AID. The Foreign Relations Committee continued executive consideration of S. 3318 and H. R. 12181, the proposed Mutual Security Act of 1958, approving the development loan fund and the money authorizations in S. 3318. p. D452  
Sen. Smith inserted an article on the discussions of Reps. Carnahan and Merrow with citizens all over the U. S. on the subject of foreign aid. pp. 8328-9

4. FARM SPENDING. Sen. Morse inserted an article on a research study of the buying power generated by Ore. farmers. p. 8355
5. TAXATION. Sen. Morse discussed the problems of taxation and urged the repeal of certain excise taxes, with comments by Sens. Sparkman and Symington. pp. 8343-6
6. PROPERTY. Sen. Morse discussed certain bills which had been passed the day before, and asserted that each met the test of the "Morse formula" regarding payment of the fair market value for land transferred from the Federal Government. He stated that since 1946 application of this formula has saved the U. S. \$600 million. pp. 8354-5
7. LEGISLATIVE PROGRAM. Sen. Johnson announced that on Mon., May 26, the Senate would consider H. R. 6006, to provide for greater certainty, speed, and efficiency in the Antidumping Act, with other bills, and stated that the Senate would not be in session on Memorial Day. p. 8317
8. ADJOURNED until Mon., May 26. p. 8355

#### HOUSE

9. APPROPRIATIONS. Agreed to the conference report on H. R. 10746, the Interior appropriation bill for 1959, and acted on amendments in disagreement. For information regarding Forest Service items see Digest 80. p. 8360
10. AGRICULTURE COMMITTEE ordered reported the following bills: p. D453
  - H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters;
  - H. R. 12531, to permit the allocation of acreage from extra long staple cotton for the production of extra long staple cotton seed;
  - H. R. 12164, to permit the use of surplus foods in nonprofit summer camps for children;
  - H. R. 11330, to amend the Packers and Stockyards Act so as to permit marketing agencies to deduct from the proceeds of livestock sales to finance research or sales-promotion programs;
  - H. R. 11581, to increase the import duty on wheat for seeding purposes which has been treated with poisonous substances and is unfit for human consumption.
11. RICE. The "Daily Digest" states as follows: "Committee on Agriculture: Subcommittee on Rice reported favorably to the full committee a committee print, the provisions of which are to be included in an omnibus farm bill." p. D454  
At the request of Rep. Martin, Rep. Thompson, Tex., withdrew his request for concurring in the Senate amendments to H. R. 8490, to make two technical adjustments in the law relating to rice acreage allotments, to provide for reassignment of such allotments when the lands on which the allotment has previously been made is taken for public purposes, and to increase marketing quota penalties. p. 8396
12. CHEMICAL ADDITIVES. A subcommittee of the Interstate and Foreign Commerce Committee ordered reported H. R. 9521, to amend the Federal Food, Drug, and Cosmetic Act so as to revise the definition of the term "chemical additive" to provide that it shall not include any pesticide chemicals when used in or on any raw agricultural commodity which is the produce of the soil. p. D454



TRANSFER OF 1958 COTTON ACREAGE ALLOTMENTS  
IN DISASTER AREAS

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MAY 22, 1958.—Ordered to be printed

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Mr. ELLENDER, from the Committee on Agriculture and Forestry,  
submitted the following

**R E P O R T**

[To accompany S. 3890]

The Committee on Agriculture and Forestry reported an original bill (S. 3890), to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes, with a recommendation that it do pass.

This bill provides for the transfer of 1958 cotton acreage allotments in disaster areas from farms on which they cannot be timely planted or replanted to farms in the same or adjoining counties on which the same producers are engaged in cotton production. It would be effective only in counties where a substantial number of farms were affected, and transfers could be made only if authorized by the Secretary of Agriculture. Many cotton farms are now under water so that they either cannot be planted, or having been planted, cannot be replanted. These farmers, as a result, will lose their principal cash crop for 1958. This bill would provide a means whereby they might obtain some relief if they were able to make arrangements to plant their crops on lands not under water.

The committee heard extensive testimony in February of this year concerning shortages of good-quality cottons. If these farmers whose farms have been flooded out are not permitted to plant their allotments on other farms, these shortages will be accentuated.

The provisions of the bill are applicable only for 1958. No transfer could be made to a farm covered by a 1958 acreage-reserve contract.

## DEPARTMENTAL VIEW

DEPARTMENT OF AGRICULTURE,  
Washington, D. C., May 22, 1958.

HON. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,*  
*United States Senate.*

DEAR SENATOR ELLENDER: This is in reply to the telephone request from Mr. Harker T. Stanton, counsel for your committee, for the Department's views on a draft of legislation to permit transfers of cotton-acreage allotments from flooded farms to other farms where the allotment could be planted.

The Department would not object to a bill authorizing the transfer of 1958 farm cotton allotments from flooded farms to other farms.

The Department in the past few years has opposed several proposals which would result in allotting additional acreage or of transferring allotments from one farm to another in situations where weather or other natural disasters have prevented normal farming operations from being carried out. Generally, these bills have contained provisions which would cause difficult problems of administration and considerable administrative expense. In addition, the proposals have been made at a time when burdensome surpluses of the affected commodities were on hand and favorable action on the proposals would directly increase price support and surplus-disposal activity of the Department. Furthermore, we are basically opposed to any plan which would result in changing the acreage allotment program from an adjustment vehicle to a program dominated by insurance and relief considerations.

After thorough consideration of all available information, including the fact that present cotton supplies are substantially below those of a year ago and that the areas now in distress are to a large extent the same areas where in 1957 excessive rains and flood waters reduced both the quantity and quality of the crop, we have determined that the transfer of cotton allotments for 1958 only under the conditions provided for in the attached draft of a bill would not be objectionable.

This position in no way should be construed as a change of policy to be followed in future years. The main reason for this exception is the lack of availability of quality cotton because of last year's bad crop and prospects for a poor start on this year's crop, which warranted this emergency action for this year only and for cotton only.

It is to be noted that under the draft bill cotton allotments could not be transferred to a farm which is participating in the current acreage reserve program for cotton. This restriction would, of course, reduce in many communities the number of eligible farms to which allotment could be transferred but we believe the provision necessary to avoid situations where a payment would be made this year for reducing cotton acreage on a particular farm and additional cotton allotment would be transferred to the farm for planting.

It is anticipated that any costs incurred under this draft of legislation could be absorbed within existing funds.

In view of the request that this report be submitted immediately we have not obtained advice from the Bureau of the Budget as to the relationship of this proposed legislation to the program of the President.

Sincerely yours,

E. T. BENSON.

## CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

## AGRICULTURAL ADJUSTMENT ACT OF 1938

## SEC. 344. \* \* \*

(n) *Notwithstanding any other provision of this Act, if the Secretary determines that because of a natural disaster a substantial portion of the 1958 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Acreage history credits for transferred acreage shall be governed by the provisions of subsection (m) (2) of this section pertaining to the release and reapportionment of acreage allotments. No transfer hereunder shall be made to a farm covered by a 1958 acreage reserve contract for cotton.*





Calendar No. 1656

85TH CONGRESS  
2D SESSION

**S. 3890**

[Report No. 1626]

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IN THE SENATE OF THE UNITED STATES

MAY 22, 1958

Mr. ELLENDER, from the Committee on Agriculture and Forestry, reported the following bill; which was read twice and placed on the calendar

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**A BILL**

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*

3      That section 344 of title III of the Agricultural Adjustment  
4      Act of 1938, as amended, is amended by adding at the end  
5      thereof a new subsection (n) reading as follows:

6      “(n) Notwithstanding any other provision of this Act,  
7      if the Secretary determines that because of a natural disaster  
8      a substantial portion of the 1958 farm cotton acreage allot-  
9      ments in a county cannot be timely planted or replanted, he  
10     may authorize the transfer of all or a part of the cotton



1 acreage allotment for any farm in the county so affected to  
2 another farm in the county or in an adjoining county on  
3 which one or more of the producers on the farm from which  
4 the transfer is to be made will be engaged in the production  
5 of cotton and will share in the proceeds thereof, in accord-  
6 ance with such regulations as the Secretary may prescribe.  
7 Acreage history credits for transferred acreage shall be  
8 governed by the provisions of subsection (m) (2) of this  
9 section pertaining to the release and reapportionment of  
10 acreage allotments. No transfer hereunder shall be made to  
11 a farm covered by a 1958 acreage reserve contract for  
12 cotton."





A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

By Mr. ELLENDER

MAY 22, 1958

Read twice and placed on the calendar





# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued May 27, 1958  
For actions of May 26, 1958  
85th-2d, No. 83

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HIGHLIGHTS: House received conference report on agricultural appropriation bill. Senate agreed to conference report on Interior appropriation bill. House committee reported bill to permit transfer of cotton allotments due to excessive rainfall. Senate committee reported bill to fix price support on extra-long staple cotton at 70 to 75 percent of parity. Rep. Thomson, and others, commended administration farm program. Senate committee reported mutual security authorization bill. House debated Alaska statehood bill.

## HOUSE

1. AGRICULTURAL APPROPRIATION BILL FOR 1959. Received the conference report on this bill, H. R. 11767 (H. Rept. 1776). (pp. 8482-83, 8530) At the end of this Digest is a summary of the actions of the conferees.
2. COTTON ALLOTMENTS. The Agriculture Committee reported with amendment H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters (H. Rept. 1772). p. 8530
3. SURPLUS FOODS. The Agriculture Committee reported with amendment H. R. 12164, to permit the donation of surplus foods to nonprofit summer camps for children (H. Rept. 1774). p. 8530
4. STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. pp. 8484-8521



5. FARM PROGRAM. Rep. Thomson commended administration farm policies, discussed recent improvements in various segments of agriculture, and stated "the situation today again proves that price supports at high levels are not in the best interests of agriculture." Other Representatives joined him in commending present policies. pp. 8521-28
6. ECONOMIC CONDITIONS. Rep. Vursell discussed current economic conditions and stated "we should face up to our responsibility, and stop wage and price inflation before this session of Congress adjourns." pp. 8522-24
7. SMALL BUSINESS. Rep. Przman inserted a letter from Gov. McFarland, Ariz., favoring legislation to establish a small business capital bank system. pp. 8528-28

#### SENATE

8. APPROPRIATIONS. Agreed to the conference report on H. R. 10746, the Interior appropriation bill for 1959. For information regarding Forest Service items, see Digest 80. This bill will now be sent to the President. pp. 8445-7
9. AGRICULTURE AND FORESTRY Committee reported the following bills:
  - Without amendment, H. R. 11399, to authorize the Secretary to set the level of price support for extra long-staple cotton at between 60 and 75 percent of parity (S. Rept. 1628);
  - With amendments, H. R. 376, to prohibit trading in onion futures on commodity exchanges (S. Rept. 1631);
  - Without amendment, H. R. 7953, to facilitate and simplify the work of the Forest Service (S. Rept. 1629); and
  - Without amendment, H. R. 5497, to authorize Federal assistance for certain fish and wildlife development projects under the Watershed Protection and Flood Prevention Act (S. Rept. 1630). p. 8419
10. FOREIGN AID. The Foreign Relations Committee reported with amendment H. R. 12181, the mutual security authorization bill for 1958 (S. Rept. 1627). pp. 8419-20
  - Sen. Proxmire submitted and discussed three amendments to the foreign aid bill to bar all aid to Yugoslavia, the Dominican Republic, and Saudi Arabia. p. 8424
  - Sen. Morse discussed the mutual security authorization bill, urged it be strengthened, and announced that his proxy vote for Sen. Long did not indicate that Sen. Long favored the bill. pp. 8450-1
  - Sen. Wiley urged passage of the mutual security authorization bill and inserted his radio speech in favor of the bill. pp. 8451-2
  - Sen. Morse obtained unanimous consent to file his minority views and have them printed as part of the Senate report on the mutual security authorization bill. He urged that the bill be amended to contain more loans and fewer grants pp. 8471-3
  - Received from the President the 13th semiannual report on the operations of the mutual security program (H. Doc. 368). p. 8417
  - Received from the Comptroller General an audit report on the Economic and Technical Assistance Program for Vietnam as conducted by ICA from 1955 to 1957. p. 8418
11. IMPORTS. Passed as reported H. R. 6006, to provide for greater certainty, speed and efficiency in the enforcement of the Antidumping Act. pp. 8455-6

## FLOODED COTTON ACREAGE

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MAY 26, 1958.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the following

### REPORT

[To accompany H. R. 12602]

The Committee on Agriculture, to whom was referred the bill (H. R. 12602) to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 2, line 1, strike out "it" and insert "to".

#### STATEMENT

Under existing provisions of law relating to cotton allotments, a cotton producer is not permitted to transfer his allotment from one farm to another.

In some cotton-producing areas, particularly in the Mississippi Valley, excessive rains during the current planting season have flooded fields and prevented the planting of cotton. This bill, designed to meet this emergency situation, will permit the Secretary of Agriculture to authorize cotton growers who have been unable to plant their cotton because of abnormal weather conditions to move such allotment for 1958 to another farm in the same or an adjoining county.

#### DEPARTMENTAL APPROVAL

The following is a letter from the Secretary of Agriculture stating that the Department has no objection to the enactment of this bill, outlining in some detail the reason why this action is needed this year, and suggesting language of the bill reported herewith:



MAY 22, 1958.

HON. HAROLD D. COOLEY,

*Chairman, House Committee on Agriculture,  
House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN COOLEY: This is in reply to a letter dated May 16, 1958, from Congressmen Albert (Oklahoma), Smith (Mississippi), Everett (Tennessee), Gathings (Arkansas), Passman (Louisiana), Jones (Missouri), Mills (Arkansas), and Norrell (Arkansas), stating that flooding conditions are threatening the 1958 cotton crop in the midsouth and requesting the Department's suggestions for use in drafting legislation giving the Department authority to permit transfers of cotton acreage allotments from flooded farms to other farms where the allotment could be planted.

The Department would not object to a bill authorizing the transfer of 1958 farm cotton allotments from flooded farms to other farms.

The Department in the past few years has opposed several proposals which would result in allotting additional acreage or of transferring allotments from one farm to another in situations where weather or other natural disasters have prevented normal farming operations from being carried out. Generally, these bills have contained provisions which would cause difficult problems of administration and considerable administrative expense. In addition, the proposals have been made at a time when burdensome surpluses of the affected commodities were on hand and favorable action on the proposals would directly increase price support and surplus disposal activity of the Department. Furthermore, we are basically opposed to any plan which would result in changing the acreage allotment program from an adjustment vehicle to a program dominated by insurance and relief considerations.

After thorough consideration of all available information, including the fact that present cotton supplies are substantially below those of a year ago and that the areas now in distress are to a large extent the same areas where in 1957 excessive rains and floodwaters reduced both the quantity and quality of the crop, we have determined that the transfer of cotton allotments for 1958 only under the conditions provided for in the attached draft of a bill would not be objectionable.

This position in no way should be construed as change of policy to be followed in future years. The main reason for this exception is the lack of availability of quality cotton because of last year's bad crop and prospects for a poor start on this year's crop, which warranted this emergency action for this year only and for cotton only.

It is to be noted that under the draft bill cotton allotment could not be transferred to a farm which is participating in the current acreage reserve program for cotton. This restriction would, of course, reduce in many communities the number of eligible farms to which allotment could be transferred, but we believe the provision necessary to avoid situations where a payment would be made this year for reducing cotton acreage on a particular farm and additional cotton allotment would be transferred to the farm for planting.

It is anticipated that any costs incurred under this draft of legislation could be absorbed within existing funds.

In view of the request that this report be submitted immediately, we have not obtained advice from the Bureau of the Budget as to



the relationship of this proposed legislation to the program of the President.

Sincerely yours,

E. T. BENSON.

A BILL To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 344 of title III of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (n) reading as follows:

“(n) Notwithstanding any other provision of this Act, if the Secretary determines that because of a natural disaster a substantial portion of the 1958 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Acreage history credits for transferred acreage shall be governed by the provisions of subsection (m) (2) of this section pertaining to the release and reapportionment of acreage allotments. No transfer hereunder shall be made to a farm covered by a 1958 acreage reserve contract for cotton.”

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

#### AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

##### ACREAGE ALLOTMENTS

SEC. 344. (a) Whenever a national marketing quota is proclaimed under section 342, the Secretary shall determine and proclaim a national acreage allotment for the crop of cotton to be produced in the next calendar year. The national acreage allotment for cotton shall be that acreage, based upon the national average yield per acre of cotton for the five years immediately preceding the calendar year in which the national marketing quota is proclaimed, required to make available from such crop an amount of cotton equal to the national marketing quota.

(b) The national acreage allotment for cotton for 1953, and subsequent years shall be apportioned to the States on the basis of the acreage planted to cotton (including the acreage regarded as having been planted to cotton under the provisions of Public Law 12, Seventy-

ninth Congress) during the five calendar years immediately preceding the calendar year in which the national marketing quota is proclaimed, with adjustments for abnormal weather conditions during such period: *Provided*, That there is hereby established a national acreage reserve consisting of one hundred thousand acres which shall be in addition to the national acreage allotment; and such reserve shall be apportioned to the States on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1), as determined by the Secretary without regard to State and county acreage reserves (except that the amount apportioned to Nevada shall be one thousand acres), and the additional acreage so apportioned to the State shall be apportioned to the counties on the same basis and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 per centum of the county allotment determined without regard to such additional acreage). Additional acreage apportioned to a State for any year under the foregoing proviso shall not be taken into account in establishing future State acreage allotments. Needs for additional acreage under the foregoing proviso and under the last proviso in subsection (e) shall be determined as though allotments were first computed without regard to subsection (f) (1).

(c) (Applicable only to the 1950 and 1951 crops of cotton.)

(d) (Applicable only to the 1952 crop of cotton.)

(e) The State acreage allotment for cotton shall be apportioned to counties on the same basis as to years and conditions as is applicable to the State under subsections (b), (c), and (d) of this section: *Provided*, That the State committee may reserve not to exceed 10 per centum of its State acreage allotment (15 per centum if the State's 1948 planted acreage was in excess of one million acres and less than half its 1943 allotment) which shall be used to make adjustments in county allotments for trends in acreage, for counties adversely affected by abnormal conditions affecting plantings, or for small or new farms, or to correct inequities in farm allotments and to prevent hardship: *Provided further*, That if the additional acreage allocated to a State under the proviso in subsection (b) is less than the requirements as determined by the Secretary for establishing minimum farm allotments for the State under subsection (f) (1), the acreage reserved by the State committee under this subsection shall not be less than the smaller of (1) the remaining acreage so determined to be required for establishing minimum farm allotments or (2) 3 per centum of the State acreage allotment; and the acreage which the State committee is required to reserve under this proviso shall be allocated to counties on the basis of their needs for additional acreage for establishing minimum farm allotments under subsection (f) (1), and added to the county acreage allotment for apportionment to farms pursuant to subsection (f) of this section (except that no part of such additional acreage shall be used to increase the county reserve above 15 per centum of the county allotment determined without regard to such additional acreages).

(f) The county acreage allotment, less not to exceed the percentage provided for in paragraph (3) of this subsection, shall be apportioned to farms on which cotton has been planted (or regarded as having been planted under the provisions of Public Law 12, Seventy-ninth



Congress) in any one of the three years immediately preceding the year for which such allotment is determined on the following basis:

(1) Insofar as such acreage is available, there shall be allotted the smaller of the following: (A) four acres; or (B) the highest number of acres planted to cotton in any year of such three-year period.

(2) The remainder shall be allotted to farms other than farms to which an allotment has been made under paragraph (1) (B) so that the allotment to each farm under this paragraph together with the amount of the allotment to such farm under paragraph (1) (A) shall be a prescribed percentage (which percentage shall be the same for all such farms in the county or administrative area) of the acreage, during the preceding year, on the farm which is tilled annually or in regular rotation, excluding from such acreages the acres devoted to the production of sugarcane for sugar; sugar beets for sugar; wheat, tobacco, or rice for market; peanuts picked and threshed; wheat or rice for feeding to livestock for market; or lands determined to be devoted primarily to orchards or vineyards, and nonirrigated lands in irrigated areas: *Provided, however,* That if a farm would be allotted under this paragraph an acreage together with the amount of the allotment to such farm under paragraph (1) (A) in excess of the largest acreage planted (and regarded as planted under Public Law 12, Seventy-ninth Congress) to cotton during any of the preceding three years, the acreage allotment for such farm shall not exceed such largest acreage so planted (and regarded as planted under Public Law 12, Seventy-ninth Congress) in any such year.

(3) The county committee may reserve not in excess of 15 per centum of the county allotment \* \* \* which, in addition to the acreage made available under the proviso in subsection (e), shall be used for (A) establishing allotments for farms on which cotton was not planted (or regarded as planted under Public Law 12, Seventy-ninth Congress) during any of the three calendar years immediately preceding the year for which the allotment is made, on the basis of land, labor, and equipment available for the production of cotton, crop-rotation practices, and the soil and other physical facilities affecting the production of cotton; and (B) making adjustments of the farm acreage allotments established under paragraphs (1) and (2) of this subsection so as to establish allotments which are fair and reasonable in relation to the factors set forth in this paragraph and abnormal conditions of production on such farms, or in making adjustments in farm acreage allotments to correct inequities and to prevent hardships: *Provided,* That not less than 20 per centum of the acreage reserved under this subsection shall, to the extent required, be allotted, upon such basis as the Secretary deems fair and reasonable to farms (other than farms to which an allotment has been made under subsection (f) (1) (B)), if any, to which an allotment of not exceeding fifteen acres may be made under other provisions of this subsection.

(4) Any part of the acreage allotted for 1950 to individual farms in any county under the provisions of this section which will not be planted to cotton and which is voluntarily surrendered to the county committee shall be deducted from the allotments to such farms and may be reapportioned by the county committee to other farms in the same county receiving allotments to the extent necessary to provide such farms with the allotments authorized under paragraph (5) of this subsection. If any acreage remains after providing such allot-

ments, it may be apportioned in amounts determined by the county committee to be fair and reasonable to other farms in the same county receiving allotments which the county committee determines are inadequate and not representative in view of their past production of cotton and to new farms in such county. No allotment shall be made, or increased, by reason of this paragraph to an acreage in excess of 40 per centum of the acreage on the farm which is tilled annually or in regular rotation, as determined under regulations prescribed by the Secretary. Any transfer of allotment under this paragraph shall not operate to reduce the allotment for any subsequent year for the farm from which acreage is transferred, except in accordance with paragraph (1) (B) and the proviso in paragraph (2) of this subsection: *Provided*, That any part of any farm acreage allotment may be permanently released in writing to the county committee by the owner and operator of the farm and may be reapportioned in the manner set forth above. In any subsequent year, unless hereafter otherwise provided by law, acreage surrendered under this paragraph and reallocated pursuant to applications filed in accordance with the provisions of paragraph (5) of this section shall be credited to the State and county in determining acreage allotments.

(5) Notwithstanding any other provisions of law and without reducing any farm acreage allotment determined pursuant to the foregoing provisions of this subsection, each farm acreage allotment for 1950 shall be increased by such amount as may be necessary to provide an allotment equal to the larger of 65 per centum of the average acreage planted to cotton (or regarded as planted to cotton under the provisions of Public Law 12, Seventy-ninth Congress) on the farm in 1946, 1947, and 1948, or 45 per centum of the highest acreage planted to cotton (or regarded as planted to cotton under Public Law 12, Seventy-ninth Congress) on the farm in any one of such three years; but no such allotment shall be increased by reason of this provision to an acreage in excess of 40 per centum of the acreage on the farm which is tilled annually or in regular rotation, as determined under regulations prescribed by the Secretary. An increase in any 1950 farm acreage allotment shall be made pursuant to this paragraph only upon application in writing by the owner or operator of the farm within such reasonable period of time (in no event less than fifteen days) as may be prescribed by the Secretary. The additional acreage required to be allotted to farms under this paragraph shall be in addition to the county, State, and national acreage allotments and the production from such acreage shall be in addition to the national marketing quota. The additional acreage authorized by this paragraph shall not be taken into account in establishing future State, county, and farm acreage allotments.

(6) Notwithstanding the provisions of paragraph (2) of this subsection, if the county committee recommends such action and the Secretary determines that such action will result in a more equitable distribution of the county allotment among farms in the country, the remainder of the county acreage allotment (after making allotments as provided in paragraph (1) of this subsection) shall be allotted to farms other than farms to which an allotment has been made under paragraph (1) (B) of this subsection so that the allotment to each farm under this paragraph together with the amount of the allotment of such farm under paragraph (1) (A) of this subsection shall be a



prescribed percentage (which percentage shall be the same for all such farms in the county) of the average acreage planted to cotton on the farm during the three years immediately preceding the year for which such allotment is determined, adjusted as may be necessary for abnormal conditions affecting plantings during such three-year period: *Provided*, That the county committee may in its discretion limit any farm acreage allotment established under the provisions of this paragraph for any year to an acreage not in excess of 50 per centum of the cropland, on the farm, as determined pursuant to the provisions of paragraph (2) of this subsection: *Provided further*, That any part of the county acreage allotment not apportioned under this paragraph by reason of the initial application of such 50 per centum limitation shall be added to the county acreage reserve under paragraph (3) of this subsection and shall be available for the purpose specified therein. If the county acreage allotment is apportioned among the farms of the county in accordance with the provisions of this paragraph, the acreage reserved under paragraph (3) of this subsection may be used to make adjustments so as to establish allotments which are fair and reasonable to farms receiving allotments under this paragraph in relation to the factors set forth in paragraph (3).

(g) Notwithstanding the foregoing provisions of this section—

(1) State, county, and farm acreage allotments and yields for cotton shall be established in conformity with Public Law 28, Eighty-first Congress.

(2) In apportioning the county allotment among the farms within the county, the Secretary, through the local committees, shall take into consideration different conditions within separate administrative areas within a county if any exist, including types, kinds, and productivity of the soil so as to prevent discrimination among the administrative areas of the county.

(3) For any farm on which the acreage planted to cotton in any year is less than the farm acreage allotment for such year by not more than the larger of 10 per centum of the allotment or one acre, an acreage equal to the farm acreage allotment shall be deemed to be the acreage planted to cotton on such farm, and the additional acreage added to the cotton acreage history for the farm shall be added to the cotton acreage history for the county and State.

(h) Notwithstanding any other provision of this section, the county committee, upon application by the owner or operator of the farm, (1) may establish an allotment for any cotton farm acquired in 1940 or thereafter for nonfarming purposes by the United States or any State or agency thereof which has been returned to agricultural production but which is not eligible for an allotment under paragraph (1) or (2) of subsection (f) of this section, and (2) shall establish an allotment for any farm within the State owned or operated by the person from whom a cotton farm was acquired in such State in 1940 or thereafter for a governmental or other public purpose: *Provided*, That no allotment shall be established for any such farm unless application therefor is filed within three years after acquisition of such farm by the applicant or within three years after the enactment of this Act, whichever period is longer: *And provided further*, That no person shall be entitled to receive an allotment under both (1) and (2) of this subsection. The allotment so made for any such farm shall compare with the

allotments established for other farms in the same area which are similar, taking into consideration the acreage allotment, if any, of the farm so acquired, the land, labor, and equipment available for the production of cotton, crop rotation practices, and the soil and other physical facilities affecting the production of cotton. Except to the extent that the production on any such farm has contributed to the county and State allotments, any allotment established pursuant to this subsection shall be in addition to the acreage allotments otherwise established for the county and State under this Act, and the production from the additional acreage so allotted shall be in addition to the national marketing quota. In any county in which a major flood-control reservoir constructed by the United States Government shall have been located wholly or in part, acreage allotments for the production of cotton on the lands within such reservoir, which lands, because of permanent or perennial flooding occasioned by the construction of such reservoir, shall be unfit for further cotton production, may be reallocated, within the discretion of the county committee, to other lands within the county as will in the opinion of said committee best serve the public interest.

(i) Notwithstanding any other provision of this Act, any acreage planted to cotton in excess of the farm acreage allotment shall not be taken into account in establishing State, county, and farm acreage allotments.

(j) Notwithstanding any other provision of this Act, State and county committees shall make available for inspection by owners or operators of farms receiving cotton acreage allotments all records pertaining to cotton acreage allotments and marketing quotas.

(k) Notwithstanding any other provision of this section except subsection (g) (1), there shall be allotted to each State for which an allotment is made under this section not less than the smaller of (A) four thousand acres or (B) the highest acreage planted to cotton in any one of the three calendar years immediately preceding the year for which the allotment is made.

(l) (This subsection relating to war crops under Public Law 12, Seventy-ninth Congress, does not apply to the 1955 and succeeding crops of cotton.)

(m) Notwithstanding any other provision of law—

(1) The national acreage allotment established under subsection (a) of this section for the 1954 crop of cotton shall be increased to twenty-one million acres and apportioned to the States in the same manner in which the national acreage allotment heretofore established for 1954 was apportioned to the States. In addition to such increased national acreage allotment, and in order to provide equitable adjustments in 1954 farm acreage allotments, (A) three hundred and fifteen thousand additional acres shall be prorated as follows: one-half to the States of Arizona, California, and New Mexico, and one-half to the other States (excluding those which received a minimum allotment under subsection (k) of this section), the proration of each half being made to the States participating therein on the basis of their respective shares of the increased national acreage allotment, and (B) such additional acreage shall be added as may be required to provide each State a total allotment under subsection (b) of this section and the provisions of this paragraph of not less than 66 per centum of the acreage planted to cotton in the State in 1952. The additional acre-



age made available to States under clause (B) of the preceding sentence shall not be taken into account in establishing future State acreage allotments. The additional acreage made available to States under the provisions of this paragraph (1) shall be apportioned to counties on the basis of their respective shares of the State acreage allotment heretofore apportioned pursuant to subsection (e) of this section, and the additional acreage shall be apportioned to farms pursuant to the provisions of subsection (f) of this section: *Provided*, That, if the county committee determines that such action will result in a more equitable distribution of the additional county allotment among farms in the county, the additional acreage shall be apportioned by the county committee to farms so as to provide each farm with an allotment equal to the larger of 65 per centum of the average acreage planted to cotton on the farm in 1951, 1952, and 1953 (as determined by the county committee in establishing allotments under subsection (f) of this section) or 40 per centum of the highest acreage planted to cotton on the farm in any one of such three years as so determined: *Provided*, That the State committee in each State shall limit such increase based on the system of farming, soil, crop-rotation practices, and other physical factors affecting production in such State, to an acreage not in excess of 50 per centum of the cropland on the farm, as determined under regulations heretofore prescribed by the Secretary. If the additional acreage is insufficient to meet the total of the farm increases so computed, such farm increases shall be reduced pro rata to the additional acreage available to the county; if the additional acreage available to the county is in excess of the total of the farm increases so computed the acreage remaining after making such increases shall be allotted to farms pursuant to the provisions of subsection (f) (3). Notwithstanding the foregoing provisions of this paragraph, if the State committee determines that such action will result in a more equitable distribution of the additional acreage made available to the State under this paragraph (1) it shall apportion such additional allotment directly to farms so as to provide each farm with an allotment equal to the larger of 65 per centum of the average acreage planted to cotton on the farm in 1951, 1952, and 1953 (as determined by the county committee in establishing allotments under subsection (f) of this section) or 40 per centum of the highest acreage planted to cotton on the farm in any one of such three years as so determined: *Provided*, That the State committee in each State shall limit such increase based on the system of farming, soil, crop-rotation practices, and other physical factors affecting production in such State, to an acreage not in excess of 50 per centum of the cropland on the farm, as determined under regulations heretofore prescribed by the Secretary: *Provided*, That if the State total of the farm increases so computed exceeds the additional acreage made available to the State under this paragraph, such farm increases shall be reduced pro rata to the additional acreage available to the State. Any acreage unallotted to farms because of the limitations contained in the preceding sentence shall be apportioned by the State committee to counties on the basis of past acreages planted to cotton and shall be used by county committees for adjustments in farm allotments on the basis of one or more of the following: The past acreage of cotton on the farm, the percentage of cropland heretofore determined under subsection (f) (2) of this section, and the factors enumerated in subsection

(f) (3) of this section. Before apportioning such unallotted acreage to counties as provided in the foregoing sentence, the State committee may, if it determines that such action is required to provide equitable allotments within the State, apportion such unallotted acreage directly to farms to the extent required to provide each farm with the minimum allotment described in subsection (f) (1) of this section. Any part of the county allotment heretofore established for the 1954 crop which was not apportioned to farms because of the limitation contained in the proviso in subsection (f) (2) of this section shall be available to the State committee and used as provided above for apportionment of unallotted acreage to farms. The provisions of this subsection, except paragraph (2), shall not apply to extra long staple cotton covered by section 347 of this Act.

(2) Any part of any farm cotton acreage allotment on which cotton will not be planted and which is voluntarily surrendered to the county committee shall be deducted from the allotment to such farm and may be reapportioned by the county committee to other farms in the same county receiving allotments in amounts determined by the county committee to be fair and reasonable on the basis of past acreage of cotton, land, labor, equipment available for the production of cotton, crop rotation practices, and soil and other physical facilities affecting the production of cotton. If all of the allotted acreage voluntarily surrendered is not needed in the county, the county committee may surrender the excess acreage to the State committee to be used for the same purposes as the State acreage reserve under subsection (e) of this section. Any allotment transferred under this provision shall be regarded for the purposes of subsection (f) of this section as having been planted on the farm from which transferred rather than on the farm to which transferred, except that this shall not operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period: *Provided*, That notwithstanding any other provisions of law, any part of any farm acreage allotment may be permanently released in writing to the county committee by the owner and operator of the farm, and reapportioned as provided herein. Acreage surrendered, reapportioned under this paragraph, and planted shall be credited to the State and county in determining future acreage allotments. The provisions of this paragraph shall apply also to extra long staple cotton covered by section 347 of this Act.

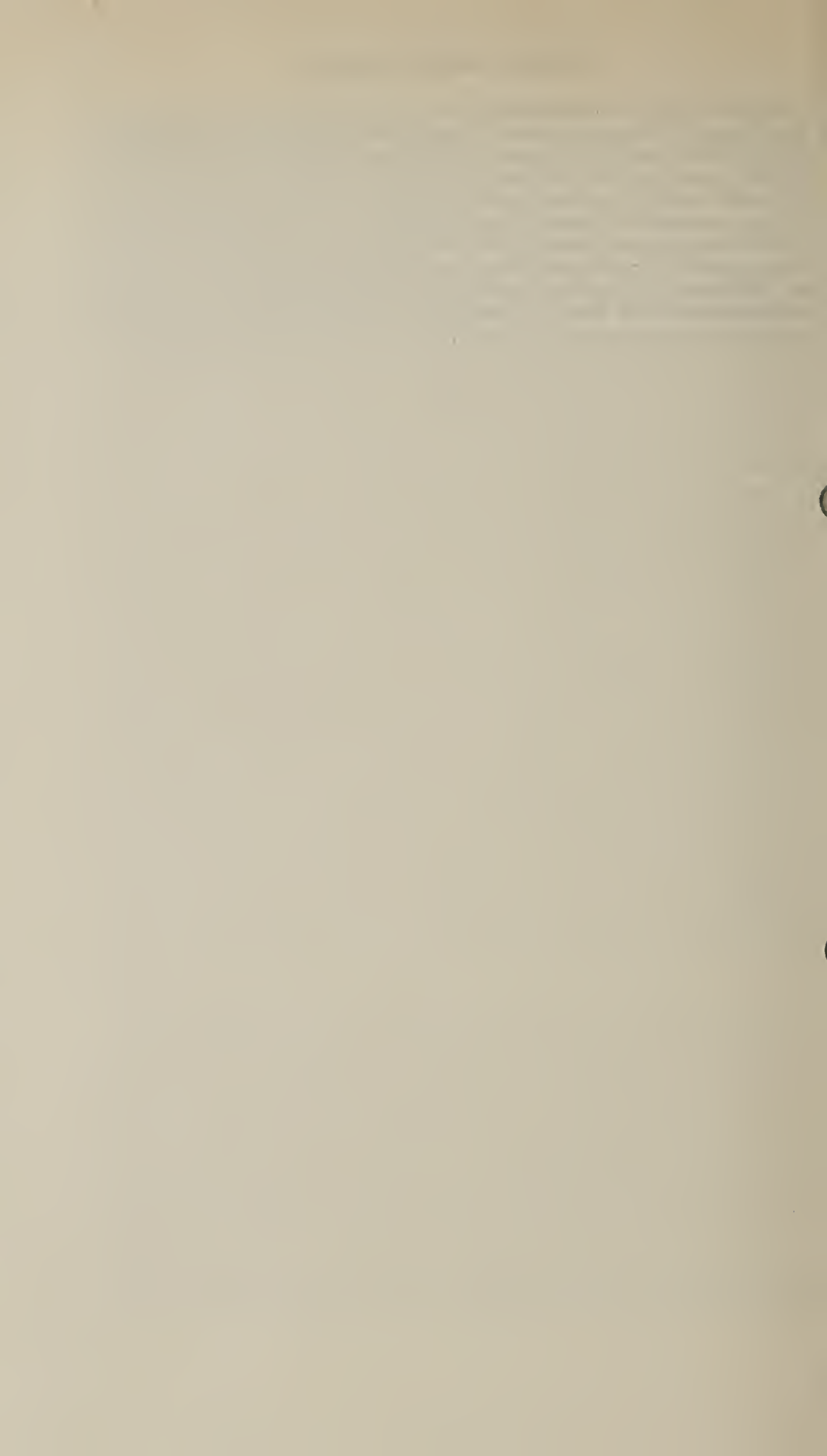
(3) Notwithstanding any other provision of this section or other provision of law, the acreage allotted to any State for 1954 under the provisions of subsection (b) of this section and the provisions of paragraph (1) of this subsection which is less than one hundred thousand acres but more than thirty thousand acres shall be increased by an acreage equal to 15 per centum of the acreage allotted to it prior to the enactment of this subsection. Such acreage shall be used by the State committee as a reserve to make equitable adjustments in 1954 farm acreage allotments on the basis of land, labor, equipment available for the production of cotton, crop-rotation practices, past acreages of cotton, soil, and other physical factors affecting the production of cotton.

*“(n) Notwithstanding any other provision of this Act, if the Secretary determines that because of a natural disaster a substantial portion of the*



*1958 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Acreage history credits for transferred acreage shall be governed by the provisions of subsection (m) (2) of this section pertaining to the release and reapportionment of acreage allotments. No transfer hereunder shall be made to a farm covered by a 1958 acreage reserve contract for cotton."*





Union Calendar No. 705

85TH CONGRESS  
2D SESSION

# H. R. 12602

[Report No. 1772]

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 1958

Mr. GATHINGS introduced the following bill; which was referred to the Committee on Agriculture

MAY 26, 1958

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

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## A BILL

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 344 of title III of the Agricultural Adjustment  
4       Act of 1938, as amended, is amended by adding at the  
5       end thereof a new subsection (n) reading as follows:

6       “(n) Notwithstanding any other provision of this Act,  
7       if the Secretary determines that because of a natural disaster  
8       a substantial portion of the 1958 farm cotton acreage allot-  
9       ments in a county cannot be timely planted or replanted,  
10      he may authorize the transfer of all or a part of the cotton

1 acreage allotment for any farm in the county so affected it  
2 to another farm in the county or in an adjoining county on  
3 which one or more of the producers on the farm from which  
4 the transfer is to be made will be engaged in the production  
5 of cotton and will share in the proceeds thereof, in accord-  
6 ance with such regulations as the Secretary may prescribe.  
7 Acreage history credits for transferred acreage shall be  
8 governed by the provisions of subsection (m) (2) of this  
9 section pertaining to the release and reapportionment of  
10 acreage allotments. No transfer hereunder shall be made to  
11 a farm covered by a 1958 acreage reserve contract for  
12 cotton."





85TH CONGRESS  
2d Session

H. R. 12602

[Report No. 1772]

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By Mr. GATHINGS

MAY 21, 1958

Referred to the Committee on Agriculture

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Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued May 28, 1958  
For actions of May 27, 1958  
85th-2d, No. 84

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HIGHLIGHTS: House agreed to conference report on agricultural appropriation bill, and considered amendments in disagreement. House tentatively voted against Alaska statehood bill. Rep. Gathings requested consideration of bill to permit transfer of cotton allotments due to excessive rainfall, but Rep. Hagen objected.

## HOUSE

1. AGRICULTURAL APPROPRIATION BILL FOR 1959. Agreed to the conference report on this bill, H. R. 11767, and considered the two amendments in disagreement.  
(pp. 8593-95, 8631)

Agreed to an amendment by Rep. Whitten to provide that no change shall be made in the 1959 ACP program which will have the effect, in any county, of restricting eligibility requirements or cost-sharing on practices included in either the 1957 or the 1958 programs, unless such change shall have been recommended by the county committee and approved by the State committee.  
(p. 8594)

Considered, but took no action on, an amendment by Rep. Whitten to provide that hereafter no conservation reserve contract shall be entered into which provides for (1) payments for conservation practices in excess of the average rate for comparable practices under the Agricultural Conservation Program, or (2) annual rental payments in excess of 20 percent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographic location thereof. In determining the value

of the land for this purpose, the county committee would take into consideration the estimate of the landowner or operator as to the value of such land as well as his certificate as to the production history and productivity of such land. (pp. 8594-95) Further consideration of this amendment was postponed until today, May 28, after Rep. Reuss made a point of order on the vote on the amendment on the ground that a quorum was not present. Rep. Reuss expressed his concern regarding this amendment and inserted correspondence between himself and Rep. Whitten discussing the effects of the amendment. (p. 8631)

2. ALASKA STATEHOOD. Continued debate on H. R. 7999, the Alaska statehood bill. (pp. 8595-8610)

Agreed, 144 to 106, to a preferential motion by Rep. Rogers, Tex., to report the bill back to the House with the recommendation that the enacting clause be stricken. (pp. 8609-10)

Considered, but took no action on, amendments by Rep. Dawson, Utah, to limit to 25 years, instead of 50 years, the time within which the State of Alaska could select 400,000 acres from lands within the national forests in Alaska, and to limit the grant of public lands to the State of Alaska to 102 million acres instead of 182 million acres. (pp. 8605-06) Also considered, but took no action on, an amendment by Rep. Rogers, Tex., as an amendment to the amendment by Rep. Dawson, Utah, to limit the grant of public lands to the State of Alaska to 21 million acres. (pp. 8606-09).

3. COTTON ALLOTMENTS. Rep. Gathings requested unanimous consent for consideration of H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, but Rep. Hagen objected on grounds that the legislation "has been handled in a very extraordinary, high-handed, and unauthorized manner." pp. 8616-17

4. TRADE AGREEMENTS. The Rules Committee reported a resolution for consideration of H. R. 12591, to extend the authority of the President to enter into trade agreements under the Tariff Act of 1930. pp. 8593, 8636

5. PEANUT ALLOTMENTS. A subcommittee of the Agriculture Committee ordered reported H. R. 12224, to provide that production of peanuts on a farm in 1957 or any subsequent year for which no farm acreage allotment was established shall not make the farm eligible for an allotment as an old farm. p. D472

6. BUILDING SPACE. The Government Operations Committee reported with amendment S. 2533, to authorize GSA to lease space for Federal agencies (H. Rept. 1814). p. 8636

7. WATERSHEDS. Received from the Budget Bureau plans for works of improvement for the Wild Rice Creek watershed, N. Dak. and S. Dak., and the Canoe Creek watershed, Ky., pursuant to the Watershed Protection and Flood Prevention Act; to Agriculture Committee. p. 8635

8. ECONOMIC CONDITIONS. Rep. Hiestand discussed current economic conditions, and stated that "it is peculiar, exceedingly peculiar, that farm income is up \$2 billion from the same period last year, yet supposedly recession stalks the land." p. 8585

Rep. Sheehan discussed current economic conditions, and listed actions which have been taken to "stimulate the economy," including requests for additional funds for REA loan programs, watershed programs, roads, public works, etc. pp. 8621-25



payment in connection with that lawsuit?

Mr. VORYS. That is correct. It is all set forth in the hearings.

Mr. SANTANGELO. After they have agreed in a stipulation to receive so many dollars for their claim and have received their money, they come back through their Government, not through themselves, and say, "You owe us another \$5 million." Is that a legal claim?

Mr. VORYS. Yes, it is a legal claim in that the Danes say that under international law they are entitled to more interest and to an allowance instead of a deduction for what is known as the burden, that is, the risk involved. That is set forth in the hearings and again in the report. So that you have a situation where the shipowners tried their case in the Court of Claims, and were confronted with decisions based on our domestic law, which they say should not apply in this international situation. And remember, this was an international action, a seizure of ships by our Government while Denmark was at war. They say, "We are entitled to this under international law and are denied it under your domestic law." Therefore, this makes an international issue.

There are three reasons why we make a compromise settlement rather than submit it to an international court:

First, an international lawsuit might cost us a great deal more money than the proposed compromise settlement.

Second, the United States reputation for fair dealing might suffer if we were placed in the position of having to assert all of our possible defenses in an international lawsuit, particularly as the Danes might be able to portray our actions in this case in a light that would be very unfavorable to the United States in the eyes of world opinion.

I want to bring to the attention of the Committee the third reason why a settlement would be better than prolonging this matter by international litigation. Listen to this. This is a statement from the Department of State:

The unfortunate effect which this matter has had on United States-Danish relations over the past several years would continue and might even be magnified in the long process of international litigation.

We not only had close although somewhat informal relations with the little country of Denmark 17 years ago when this matter first arose, but those close relations involving matters of mutual security still continue and are involved in NATO, and they are involved in the strategic location of Denmark and of its possession, Greenland. Therefore, it is thought that we ought not to say, "Well, go ahead and sue us in every court." But that we ought to say, "We think what we are offering now ought to satisfy you and we hope you will take this, and if you take it that will settle it." That was the viewpoint of the position taken in the other body.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield.

Mr. BONNER. There is this language in the report:

After long negotiation, in 1946 settlement contracts were entered into by the War Shipping Administration and the owners of 35 of the Danish ships, and substantial payments were made under these contracts.

The War Shipping Administration was the one to settle this matter. Then you go further in your report and say:

In 1947 a decision by the Comptroller General that further payments on the contracts would not be in accord with the Merchant Marine Act of 1936 \* \* \*

So you are disregarding the War Shipping Administration settlement of war claims on vessels and you are disregarding the 1936 act, and you are just bringing out a bill from your committee to grant this much money to a claimant.

Mr. VORYS. The gentleman did not read the next sentence which is of some interest. It is as follows:

The difficulties which have prevented a satisfactory settlement arise from the fact that the courts do not look to equity and justice in international relations where a claim against the United States Government is concerned; rather they apply the provisions of domestic law.

That is the controversy that still exists between us and Denmark. Every lawyer knows there is a whole body of law known as the Conflict of Laws where one nation has domestic laws that apply to a situation which are different from those of another nation applying to the same situation. You have in this area of conflict of laws matters where international law would come in. In this case the Danes say that under our domestic law they have not received just compensation, according to their domestic law, and that in this situation international law would apply their standards, not ours.

Mr. HAYS of Arkansas. Mr. Chairman, I yield myself 5 minutes.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Arkansas. I yield.

Mr. BONNER. I do not notice in your report anywhere that you given any information that you may have received from the Maritime Administration or the former War Shipping Administration or the Department of Defense. You are going into these matters one after the other of claims that might have arisen where ships were used in the war effort but were not requested by any authorized authority, is that correct?

Mr. HAYS of Arkansas. Perhaps I can add to what the gentleman from Ohio said about the difference between domestic law and international law. It hangs on the difference between the rule applying to seizure for use and seizure for title. The gentleman from North Carolina is entirely correct in raising the question about payment under domestic law, but as the report says and I am quoting from the report:

There was no precedent for such action by the United States when we were not at war or for the action by the Danish Ambassador without the approval of his Government.

Thus the action taken had to be under seizure for title and not for use. So the gentleman raises a pertinent point only as to the domestic law and that is the

reason the Court of Claims ruling has been construed as a sound judgment when it was not a sound judgment in the usual sense of the term at all. The shipowners never at any time agreed completely that they would be fully compensated for \$35 million. They were always claiming at least the additional \$5 million. I believe that if the gentleman will read the entire report, he will find that what we are doing here is pursuing what we believe will be a legal pronouncement in an international court, and in any event and aside from what we are bound by under domestic law, we are convinced of the moral character of this claim. I should stress this as distinguished from the legal provision, for while I think it is not a strained position at all nor a faint and artificial claim that on a sound legal basis the claim might be made, I do agree it is a matter that people can argue about. But on the question of the moral basis of the claim, in my judgment there is no doubt.

Mr. BONNER. I do not mind giving the Danish Government \$5 million, if the Congress wants to give it to them and they need it, but I do not think that after this matter was taken before the War Shipping Administration and they paid for 35 of the vessels—

Mr. HAYS of Arkansas. Which is all they could pay for, until a final settlement was made for the other five ships.

Mr. BONNER. No. They were all in the same category.

Mr. HAYS of Arkansas. I believe the gentleman will find the Government was ultimately paying for all 40 vessels to the extent of the domestic law, including the settlement contracts and 2 Court of Claims judgments. There were 2 different claims, 1 for 35 ships and 1 for 5 ships.

Mr. BONNER. You paid for 40 of the ships instead of 35, and now you are making an additional payment on 5 additional ships.

Mr. HAYS of Arkansas. No. It is not the difference between 35 and 40. It is the difference in payment under seizure for title and seizure for use for all 40 ships. The Danish Government at one time filed a claim for the additional compensation due the owners that would run to \$12 million. It could run as high as \$12 million if it became subject to a suit in an international court. So, as a matter of fact, while we feel that \$5 million is all that should be charged, if we face a case in an international court we would probably be confronted with a claim that would be \$12 million.

Mr. BONNER. What attention was paid to the Comptroller General's statement that they would be fully paid under the Merchant Marine Act of 1936?

Mr. HAYS of Arkansas. That is all that it undertook to apply—the domestic law. The Danish Government was paid all that they could be paid, but the Danish Government contends, and the State Department agrees, and the other body agreed and the House Foreign Affairs Committee agreed that that would not be the basis of the settlement; that in the light of the history of this par-



tlement the owners waived any other claim they might have had when they accepted this money. In the absence of fraud and coercion, or any other factors that are not present here, I cannot conceive of any court, either in law or in equity, upsetting the arrangement. It was satisfactory to everyone. There was no coercion. There was no force. But parties agreed to it.

I then asked of the witness, the Honorable Christian A. Herter, Under Secretary of State, this question:

You will agree with me on that?

Mr. Herter replied:

Yes; the owners agreed.

I then said:

That is the reason you say you are not presenting this as a settlement of a possible lawsuit in the International Court, because you cannot. \* \* \* I think the idea of dealing fairly with the Danish owners is something the Congress should consider, but I suggest it be considered in a little different way, making this general legislation and applying it to all in a similar position, so we then might be in the happy position of giving the same fair treatment to the owners of foreign ships that we took during the war that we gave to the American owners.

To that Under Secretary Herter replied:

I think that has been our general policy.

Mr. Speaker, no one can quarrel with policy. It is a policy that conforms to the rules of American fair play. Why we try to hide our face when we are doing something in strict conformance with the American rule of fair play by saying that we are doing it because we have to do it, because somewhere in the background is a great big boogie man with a great big imaginary lawsuit to knock us down, why we do this passeth understanding.

I read in the report of the committee on page 2 this statement:

If the United States is not able to reach a satisfactory settlement with Denmark, there remains the possibility that Denmark may take the case to an international tribunal. This might ultimately require a substantially larger payment by the United States.

Mr. Speaker, I maintain there is nothing in the record to sustain this position. If my colleagues will turn to page 23 of the printed hearings they will find what was testified to on this score. Mr. Vorys had asked an opinion of the Counsel of the State Department, and this statement was given by William L. Griffin, Assistant to the Legal Adviser, Department of State. This is what Mr. Griffin said:

We have not examined this case from a strictly legal point of view because it has been presented in terms of a compromise which we might be able to reach by domestic legislation. But we recognize that there is a possibility that if such a compromise settlement fails, we might then be placed in a position where we would have to examine it from the point of view that you raised.

Then Mr. Vorys said:

Certainly you gentlemen were consulted when this matter was in the Court of Claims, were you not, under your predecessors?

And to this Mr. Griffin replied:

No, sir.

Mr. Speaker, I am supporting this bill because it represents the proper ex-

ercise of conscience and of the principles of equity by the Congress of the United States. I wish the RECORD, however, to show that I am not accepting as valid the argument that by passing this bill we are avoiding the evil consequences of a lawsuit in an international tribunal. That is just as much poppycock in this case as it was when it was advanced as a reason for the extension of the loans of the United Kingdom.

#### RECENT AIR TRAGEDIES

(Mrs. GREEN of Oregon asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. GREEN of Oregon. Mr. Speaker, recent air tragedies at Las Vegas and over West Virginia have focused the attention of the American people on the dangers of leaving uncontrolled the airspace above us. These dangers are now greatly multiplied with the advent of the newer jet planes used by the armed services. I am pleased, therefore, that the appropriate committees in the House and in the other body are making inquiries as to what controls should be imposed in the interests of safety without jeopardizing our national security.

On April 30, 1958, I addressed a letter to our distinguished colleague the gentleman from Georgia [Mr. PRESTON], concerning this matter. My interest was focused primarily on the Portland International Airport. This is the only airport in the Nation located near a city with a population over 250,000 where the Air Force insists on continuing its joint use with civilian planes.

Under unanimous consent, I insert at this point in my remarks a copy of my letter of April 30 to Congressman PRESTON, regarding this situation.

APRIL 30, 1958.

The Honorable PRINCE H. PRESTON,  
Chairman, Subcommittee of Appropriations Committee, Department of Commerce, House of Representatives, Washington, D. C.

DEAR MR. PRESTON: In connection with your investigation of the tragic air crash at Las Vegas between a military jet plane and a civilian plane, it seemed to me appropriate to call to your attention specifically a situation existing at the Portland International Airport.

The Portland International Airport is located very close by the city of Portland, Ore. Under a lease with the Department of the Air Force, part of it is occupied by that Department and is used for the activities of the Air National Guard, the Air Force Reserve, and by a unit of the Air Defense Command using manned interceptor aircraft. The Air Force intends shortly to replace the aircraft now there with the Century Series jet planes.

The joint civilian-military use of this airport presents not only a definite conflict in objectives but also a question of safety.

I would point out that the Air Defense Command fighter units are located at only four airfields in the United States located at cities having populations of 250,000 or more, namely: O'Hare International Airport in Chicago; the Greater Pittsburgh Airport at Pittsburgh, Pa.; the Minneapolis-St. Paul International Airport at Minneapolis, Minn.; and the International Airport at Portland, Ore.

At all the other airfields other than Portland the Air Defense Command units are in the process of being moved elsewhere or, as

in the case in Minneapolis, being deactivated.

This leaves Portland International Airport unique in the United States. It will be the only joint use civilian-military airport located near a large city at which an air defense command unit is located.

It is to be hoped that your committee will investigate this situation from the standpoint of the air safety factors involved.

In that connection, your attention is specifically called to the findings of the Civil Aeronautics Administration to the following effect:

"The CAA agreed that the pilot of a Century Series type aircraft on an active air defense mission is unable to see and avoid other aircraft during the climb phase of the scramble even under the best visual flight rule weather conditions because of his speed, climb altitude and preoccupation with cockpit duties. Therefore, some means had to be provided for ensuring a clear climb path for this aircraft."

This quotation is from a circular letter sent to all Regional Administrators of the Civil Aeronautics Administration under date of March 21, 1958.

Your attention is also directed to the following statement by the Regional Director of the Civil Aeronautics Administration as follows:

"Our review of this problem merely reaffirms the previous stand taken by the Civil Aeronautics Administration that the mixture of high activity military traffic, particularly ADC interceptors, with relatively high density civil operations at major terminals such as Portland, certainly is not desirable if it is at all feasible to avoid such situations. This is particularly true where weather is a prominent factor, as at Portland, where lengthy delays to both civil and military operations will inevitably result because of the scramble and recovery of these interceptors. This situation is not conducive to the normal growth or safe operation of a civil airport."

And finally I would refer you to an editorial from the February issue of the AOPA Pilot which reads in part as follows:

"This is why AOPA now says that this type of airplane can no longer 'live' safely on joint-use airports—or, for that matter, in joint-use airspace. As we see it, the only thing that will prevent catastrophe is the sharp quick eyes of the military ground-control radar operators who talk these aircraft out on their missions—and around conflicting traffic, which the fighter pilots themselves probably never use.

"First such joint-use problem in which AOPA has participated is at the Portland, Ore., International Airport. The Air Force proposes replacing the present fighters based there with Century Series fighters. After studying the characteristics of these aircraft, and listening to detailed descriptions of how they must be handled, it is AOPA's conviction that such aircraft must be barred from any joint-use civil airport. Because these are no longer airplanes in the common definition of the term. They're manned missiles.

"And they must be treated exactly like missiles, rockets, or bullets, and confined to a restricted 'firing range.' The Department of Defense must do this now, in the interest of general public safety."

If there is any further information you desire on this matter, please do not hesitate to call upon me.

Sincerely,

EDITH GREEN.

The dangers inherent in the joint use of an airport by both civilian and military planes was ably pointed out in an editorial in the Aircraft Owners and Pilots Association publication Pilot for February. That editorial took note of the fact that the Century series planes







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued May 29, 1958  
For actions of May 23, 1958  
85th-2d, No. 85

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HIGHLIGHTS: Both Houses adopted conference report on agricultural appropriation bill. Both Houses passed bills to permit transfer of cotton allotments due to excessive rainfall. House passed Alaska Statehood bill. House agreed to debate trade agreements bill. Senate committee ordered reported general government matters and independent offices appropriation bills.

## HOUSE

1. AGRICULTURAL APPROPRIATION BILL FOR 1959. Agreed to the amendment by Rep. Whitten to this bill, H. R. 11767, providing that hereafter no conservation reserve contract shall be entered into which provides for (1) payments for conservation practices in excess of the average rate for comparable practices under the agricultural conservation program, or (2) annual rental payments in excess of 20 percent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographic location thereof; and that, in determining the value of the land for this purpose, the county committee shall take into consideration the estimate of the landowner or operator as to the value of such land as well as his certificate as to the production history and productivity of such land. p. 8734
2. DEFENSE APPROPRIATION BILL FOR 1959. The Appropriation Committee reported without amendment this bill, H. R. 12738 (H. Rept. 1330). p. 8759

3. COTTON. Passed as reported H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters. pp. 8748-49  
The "Daily Digest" states as follows: "~~Committee on Agriculture: Subcommittee on Cotton met in executive session relative to cotton legislation and approved language which was recommended to the full committee for inclusion in an omnibus farm bill.~~" p. D478
4. STATEHOOD. Passed, 208 to 166, with amendments, H. R. 7999, the Alaska statehood bill. (pp. 8731, 8734-47)  
Agreed to the following amendments:  
By Rep. Dawson, Utah, 91 to 8, to limit to 25 years, instead of 50 years, the time within which the State of Alaska may select 400,000 acres from lands within the national forests in Alaska, and to limit the grant of public lands to the State of Alaska to 102 million acres instead of 182 million acres. (p. 8735)  
By Rep. Westland to provide that the administration and management of the fish and wildlife resources of Alaska shall be retained by the Federal Government under existing laws until the first day of the first calendar year following the expiration of 90 legislative days after the Secretary of the Interior certifies to the Congress that the Alaska State Legislature has made adequate provision for the administration, management, and conservation of these resources in the broad national interest. (pp. 8738-41)  
Rejected an amendment by  
Rep. Rogers, Tex., 46 to 74, as an amendment to the amendment by Rep. Dawson, Utah, to limit the grant of public lands to the State of Alaska to 21 million acres. (p. 8735)  
Rejected a motion by Rep. Rogers, Tex., 174 to 199, to recommit the bill to the Interior and Insular Affairs Committee. (pp. 8734-35) A similar motion by Rep. Pillion was rejected 172 to 201. (pp. 8745-46)
5. FOREIGN TRADE. Agreed to a Rules Committee resolution for debate on H. R. 12591, to extend the authority of the President to enter into trade agreements. The resolution waives all points of order against the bill, provides for 8 hours of general debate, and provides that no amendments to the bill will be in order except those offered by direction of the Ways and Means Committee and the proposed bill by Rep. Simpson (H. R. 12676) which may be offered as an amendment. pp. 8732-34
6. WILDLIFE. A subcommittee of the Merchant Marine and Fisheries Committee ordered reported with amendment, H. R. 10244, to reaffirm the national policy regarding fish and wildlife resources. p. D479
7. PAY RAISES. The "Daily Digest" states as follows: "Committee on Rules: Held no hearing as scheduled on granting of a rule on S. 734, classified employees pay raise bill, inasmuch as the House will on Monday, June 2, consider the bill under the suspension of rules." p. D379  
Rep. Sikes spoke in favor of pay raises for classified employees. p. 8731
8. ECONOMIC CONDITIONS. Several Representatives discussed current economic conditions, including references to farm income and prices. pp. 8751-57
9. LEGISLATIVE PROGRAM. Rep. McCormack announced the Consent Calendar will be called Mon., June 2, followed by consideration of the classified pay increase bill, and that the trade agreements bill will be considered later in the week. pp. 8749-50



10. FOREIGN TRADE; SURPLUS COMMODITIES. Reps. Hays and Coffin, in the report on their Special Study Mission to Canada, noted that the Canadians are disturbed over triangle and barter transactions under Public Law 480, and that they contend "The United States is exporting its own farm problem." Among their recommendations they urge that in exporting agricultural commodities, such as wheat, for local currencies, the U. S. should pay special attention to Canada's interest and avoid commercial markets. They suggest "The hazards of a joint United States-Canadian wheat marketing corporation should be explored." (H. Rept. 1766).

SENATE

11. AGRICULTURAL APPROPRIATION BILL FOR 1959. Agreed to the conference report on this bill, H. R. 11767. Concurred in the House amendments to the two Senate amendments reported in disagreement (see Digest 84). Sen. Mundt emphasized his understanding that the amendments would not decrease the payments made to conservationists engaged in action beneficial to wildlife. This bill will now be sent to the President. pp. 8713-16
12. APPROPRIATIONS. The Subcommittee ordered reported to the Appropriations Committee H. R. 10589, general government matters appropriation bill for 1959, and H. R. 11574, independent offices appropriation bill for 1959. p. D476
13. COTTON ALLOTMENTS. Passed without amendment S. 3890, to permit the transfer of 1958 farm acreage allotments for cotton in cases of natural disaster. Sens. Eastland, Knowland, and Kuchel discussed the interpretation of several terms in the bill. p. 8717
14. UNEMPLOYMENT COMPENSATION. Passed without amendment H. R. 12065, to provide for temporary continuation of unemployment benefits. This bill will now be sent to the President. pp. 8660-85, 8694-5, 8701-13, 8724-6
15. FOREIGN AID. Began debate on H. R. 12181, the mutual security authorization bill for 1958. pp. 8717-24  
Sen. Javits inserted a resolution of the Long Island, N. Y., Federation of Women's Clubs urging the elimination of all nonessential spending in the foreign aid program. p. 8641
16. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendments S. Res. 303, to authorize a study of the U. S. transportation system, which was referred to the Rules and Administration Committee. p. 8642
17. TAXATION. Sen. Carlson was added as a cosponsor to S. 3718, to allow more rapid depreciation for taxes on property bought in 1958 or 1959. p. 8645
18. STATEHOOD. Sen. Mansfield urged passage of the Alaskan statehood bill in the House and invited the Senate to consider statehood for Hawaii. p. 8655
19. ELECTRIFICATION. Sen. Neuberger stated that following hearings the Public Works Committee staff would work on recommendations made to improve S. 3114, to create a Columbia River Power Corp., and S. 2206, to grant a higher priority to industrial users of power in the Pacific Northwest. He inserted an article stating that upstream-downstream disputes plus private-public utility conflicts over the preference clause were preventing agreement on a self-financed public power corporation for the Columbia Valley. p. 8692

20. HUMANE SLAUGHTER. Sen. Neuberger urged that the humane slaughter bill be reported by the Senate Committee, and inserted an editorial favoring it. pp. 8693-4
21. FLOOD CONTROL. Sen. Watkins inserted the statement of Matt Triggs of the Farm Bureau in opposition to S. 497, the vetoed rivers and harbors and flood control bill, centering on provisions allowing the Corps of Engineers to construct water-storage facilities without further action by Congress and continuing the assertion of Federal dominance over State water-use laws. pp. 8695-6
22. LANDS. Sen. Murray inserted the court opinion on the compensation for the Crow Indians for the right-of-way for the Yellowtail Dam site and reservoir, Hardin unit, Missouri River Basin project. pp. 8696-8701
23. PUBLIC WORKS. Sens. Chavez and Douglas discussed Sen. Chavez' position as Chairman of the Public Works Committee, and their respective views on public works projects. pp. 8687-8
24. HOUSING. Passed without amendment S. J. Res. 171, to increase the mortgage authorization of FHA by \$4 billion. pp. 8717-18
25. RESEARCH. Sen. Morse expressed his disappointment that no social scientist was nominated to the Board of the National Science Foundation. p. 8727
26. FOREIGN TRADE; SURPLUS COMMODITIES. Sen. Javits inserted a resolution of the faculty of Syracuse University urging Congress to amend Public Law 480 to permit the use of such funds to translate and acquire foreign scholarly works. p. 8640
27. TRADE AGREEMENTS. Sen. Javits inserted a resolution of the West Brooklyn, N. Y., Independent Democrats supporting extension of the Trade Agreements Act for 5 years. p. 8640

#### ITEMS IN APPENDIX

28. ELECTRIFICATION. Sen. Hill inserted Sen. Morse's recent address, "Power and Progress," before the American Public Power Ass'n convention. pp. A4905-7
29. INDUSTRIAL USES. Sen. Capehart inserted an article, "Federal Men Speed Search for Crop Uses, Slow Output Research." pp. A4911-2
30. SMALL BUSINESS. Rep. Multer inserted testimony presented before the Senate Banking and Currency Committee on proposed amendments to the Small Business Act of 1953 to aid in small business financing. pp. A4914-6
31. TAXATION. Extension of remarks of Sen. Proxmire commending and inserting an editorial criticizing the President's decision against a tax cut and stating the President seems to be "entranced with a Hooveresque view of the economy." p. A4921
32. TOBACCO. Extension of remarks of Rep. Cooley inserting correspondence pointing up certain facts with respect to tobacco's foreign-trade position. pp. A4922-3
33. FARM PROGRAM. Extension of remarks of Rep. Hillings inserting a "penetrating analysis of agriculture in a free economy" prepared by Claude Hutchison, vice president and dean of agriculture emeritus, University of California. pp. 4925-7



## ANSWERED "PRESENT"—2

Bailey Berry

## NOT VOTING—53

Andersen,	Gubser	Radwan
H. Carl	Hillings	Reece, Tenn.
Auchincloss	Jackson	Saund
Barden	James	Scott, N. C.
Brooks, La.	Jenkins	Scott, Pa.
Buckley	Kearney	Sheppard
Carnahan	Kilburn	Shuford
Chelf	Knox	Sieminski
Colmer	Lennon	Siler
Curtis, Mass.	Loser	Smith, Kans.
Davis, Tenn.	McCarthy	Spence
Dies	Marshall	Thompson, La.
Doyle	Miller, Calif.	Thompson, Tex.
Engle	Morris	Trimble
Evins	Morrison	Vinson
Forand	Neal	Vorys
Gregory	O'Hara, Minn.	Watts
Gross	Powell	Wilson, Calif.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Engle for, with Mr. Bailey against.  
 Mr. Berry for, with Mr. Shuford against.  
 Mr. Kilburn for, with Mr. Colmer against.  
 Mr. Reece of Tennessee for, with Mr. Auchincloss against.  
 Mr. Knox for, with Mr. O'Hara of Minnesota against.  
 Mr. Buckley for, with Mr. Siler against.  
 Mr. McCarthy for, with Mr. Brooks of Louisiana against.  
 Mr. Carnahan for, with Mr. Lennon against.  
 Mr. Hillings for, with Mr. Trimble against.  
 Mr. Marshall for, with Mr. H. Carl Andersen against.  
 Mr. Wilson of California for, with Mr. Vinson against.  
 Mr. Kearney for, with Mr. James against.  
 Mr. Thompson of Texas for, with Mr. Neal against.  
 Mr. Scott of Pennsylvania for, with Mr. Jackson against.  
 Mr. Loser for, with Mr. Smith of Kansas against.  
 Mr. Forand for, with Mr. Dies against.  
 Mr. Miller of California for, with Mr. Scott of North Carolina against.  
 Mr. Doyle for, with Mr. Curtis of Massachusetts against.  
 Mr. Morris for, with Mr. Radwan against.  
 Mr. Morrison for, with Mr. Gregory against.  
 Mr. Vorys for, with Mr. Jenkins against.  
 Mr. Sheppard for, with Mr. Barden against.

Until further notice:

Mr. Evins with Mr. Gross.  
 Mr. Spence with Mr. Gubser.

Mr. BAILEY. Mr. Speaker, I would vote "nay" on this bill, but I have a live pair with the gentleman from California, Mr. ENGLE. If he were here he would vote "yea." I therefore ask to be recorded "present."

Mr. BERRY. Mr. Speaker, I have a live pair with the gentleman from North Carolina, Mr. SHUFORD, who if present would vote "nay." I therefore withdraw my vote of "nay" and vote "present."

Mr. HARVEY changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## CORRECTION OF ROLL CALL

Mr. MILLER of New York. Mr. Speaker, on rollcall No. 77, on May 27, a quorum call, I am recorded as absent. I was present and answered to my name.

I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on rollcall No. 77, on May 27, a quorum call, I am recorded as absent. I was present and answered to my name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## CORRECTION OF THE RECORD

Mr. JUDD. Mr. Speaker, on page A4746 in the report of a speech I made on the Mutual Security Act, the second paragraph begins, "The communist criticisms of the mutual security program." The word "communist" should read "commonest."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## DEFINING PARTS OF CERTAIN TYPES OF FOOTWEAR

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 9291, to define parts of certain types of footwear, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 22, strike out "July 1" and insert "September 1."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

(Mr. MILLS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLS. Mr. Speaker, as may be recalled, the purpose of H. R. 9291 in the form in which it passed the House of Representatives was to close certain loopholes in the existing tariff structure contained in paragraph 1530 (e) of the Tariff Act of 1930, as amended, regarding rubber-soled footwear. The House bill provided that the amendment was to enter into force, as soon as practicable, on a date to be specified by the President in a notice to the Secretary of the Treasury following such negotiations as might be necessary to effect a modification or termination of any international obligations of the United States with which the amendment might conflict, but in any event not later than July 1, 1958.

The Senate amended the bill in only one respect: The effective date should not be later than September 1, 1958, in lieu of July 1, 1958. This Senate amendment will afford the President an addi-

tional period of time within which to enter into such negotiations as may be necessary to effect a modification or termination of any international obligations of the United States with which the amendment made by the bill might conflict.

(Mr. REED asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. REED. Mr. Speaker, I have concurred in the request of my distinguished chairman and colleague, the gentleman from Arkansas, the Honorable WILBUR D. MILLS, in asking that the House concur in the Senate amendment to H. R. 9291.

It will be recalled that this legislation as it passed the House affected the tariff status of certain rubber-soled footwear by closing a loophole that existed, whereby foreign producers avoided the application of customs duties on such articles. As this legislation passed the House a date of July 1, 1958, was set forth as the final effective date for implementing the intent of the amendment. The Senate has substituted for the full effective date a new effective date of September 1, 1958. It would seem that this change is an appropriate one in view of the time that has passed between the House consideration of this legislation and the final Senate action thereon.

## SUSPENSION OF DUTIES ON METAL SCRAP

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 10015, to continue until the close of June 30, 1959, the suspension of duties on metal scrap, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 4, insert:

"SEC. 3. Section 1 (b) of the act of March 13, 1942 (Ch. 180, 56 Stat. 171), as amended, is amended by inserting before the period at the end thereof a comma and the following: 'but does not include such nonferrous materials and articles in pig, ingot, or billet form which have passed through a smelting process and which can be commercially used without remanufacture.'"

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

(Mr. MILLS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MILLS. Mr. Speaker, the purpose of H. R. 10015, in the form in which it passed the House of Representatives, was to continue until the close of June 30, 1959, the suspension of duties and import taxes on metal scrap.

The Senate amendment, which originated in the Committee on Finance of the Senate, added an additional section to the bill which amends section 1 (b) of the act of March 13, 1942. That sec-



tion of the act of March 13, 1942, presently provides that the word "scrap," as used in that act, shall mean all ferrous and nonferrous materials and articles, of which ferrous or nonferrous material is the component material of chief value, which are second-hand or waste or refuse, or are obsolete, defective or damaged, and which are fit only to be remanufactured.

The Senate amendment would add to this section language to provide that, according to the Senate report on the bill, "primary or virgin nonferrous material in pig, ingot, or billet form which is commercially usable in the direct manufacture of articles without sweetening or other modification of its constituents would not be included in the duty-free provisions of the bill." It was explained on the Senate floor that this amendment was to tighten up the law with respect to nonferrous scrap—mainly aluminum. It was also stated on the Senate floor that importers of scrap did not object to the Senate amendment.

(Mr. REED asked and was given permission to extend his remarks at this point in the RECORD).

Mr. REED. Mr. Speaker, this legislation as it passed the House of Representatives provided for the continuation until July 1, 1959, of the suspension of duties in import taxes on metal scrap. The Senate in acting on this legislation has added an amendment to the bill providing that primary or virgin nonferrous material in certain forms which is commercially usable in the direct manufacture of articles without modification would not come within the scope of the duty-free provisions of the bill.

#### ADDITIONAL ASSISTANTS IN THE DOCUMENT ROOM

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution—House Resolution 565—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That, effective June 1, 1958, there shall be paid out of the contingent fund of the House, until otherwise provided by law, compensation for the employment of two additional assistants in the document room, Office of the Doorkeeper, at the basic per annum salary of \$2,200 each.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. Gladly.

Mr. LECOMPTE. Will the gentleman explain this resolution to the House?

Mr. FRIEDEL. This resolution provides for two additional clerks in the document room. They have not had an increase in personnel since 1928. At that time they had about 5,000 bills introduced a year, and at this session there have been over 12,000 bills introduced. The work has accumulated, and they need additional help.

Mr. LECOMPTE. It appears it is badly needed.

Mr. FRIEDEL. Very much so.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### ADDITIONAL CLERK HIRE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I call up a privileged resolution—House Resolution 571—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That (a) the title of the positions "1. Telephone Page" and "26. Page" under the Office of the Doorkeeper are changed to "Telephone Clerk (Majority)" and "Telephone Clerk (Minority)," respectively, and the basic salary of each such position shall be at the rate of \$2,100 per annum.

(b) The Clerk of the House of Representatives is authorized to pay out of the contingent fund of the House of Representatives, until otherwise provided by law, such amounts as may be necessary to carry out this resolution.

(c) As used in this resolution a reference to an existing title and a number is a reference to the position having that title and that number on the payroll of the Office of the Doorkeeper of the House of Representatives, as prepared by the Clerk of the House of Representatives for the month of April 1958.

(d) This resolution shall take effect June 1, 1958.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman.

Mr. LECOMPTE. As I understand it, this resolution provides for a change of title of two employees, but does not provide for any additional employees?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. One of the employees is to be changed to the minority and one to the majority; is that correct?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. And the appointments are to be filled through patronage channels?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. Is there an increase in salary?

Mr. FRIEDEL. There is an increase in salary of \$300 each for these two employees.

Mr. LECOMPTE. Mr. Speaker, this resolution came out of the Committee on House Administration by a unanimous vote. I know of no opposition on this side.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### WITHHOLDING CERTAIN AMOUNTS DUE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up the bill H. R. 12521 and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LECOMPTE. Mr. Speaker, reserving the right to object—and I shall not object—this is a very important bill, in my opinion, the most important of the series of matters the gentleman from Maryland has brought before the House

today. This provides simply that there will be a withholding of funds to take care of obligations of employees, all employees of the legislative branch of the Government. I think perhaps it will save the Government considerable time in bookkeeping and in the matter of undertaking to collect certain obligations.

Mr. FRIEDEL. To explain the matter more thoroughly, there is authority now to withhold funds of Members of Congress.

Mr. LECOMPTE. But not of employees.

Mr. FRIEDEL. That is correct. This will make it legal to withhold those funds.

Mr. LECOMPTE. In other words, this will give the same authority over employees as the Members?

Mr. FRIEDEL. That is correct.

Mr. LECOMPTE. Mr. Speaker, I know of no opposition to the bill on this side and withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That whenever an employee of the House of Representatives becomes indebted to the House of Representatives, or to the trust fund account in the office of the Sergeant at Arms of the House of Representatives, and such employee fails to pay such indebtedness, the chairman of the committee, or the elected officer, of the House of Representatives having jurisdiction of the activity under which such indebtedness arose, is authorized to certify to the Clerk of the House of Representatives the amount of such indebtedness. The Clerk of the House of Representatives is authorized to withhold the amount so certified from any amount which is disbursed by him and which is due to, or on behalf of, such employee. Whenever an amount is withheld under this act, the appropriate account shall be credited in an amount equal to the amount so withheld. As used in this act, the term "employee of the House of Representatives" means any person in the legislative branch of the Government whose salary, wages, or other compensation is disbursed by the Clerk of the House of Representatives.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE TO EXTEND

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H. R. 7999.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### FLOODED COTTON ACREAGE

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 12602.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HAGEN. Mr. Speaker, reserving the right to object, I understand this involves relief to relatively small quantities of cotton acreage and is intended



to apply to all States including California; is that right?

Mr. GATHINGS. To all States, including California; yes.

Mr. HAGEN. It covers a situation where the transferor might own another suitable farm, or where he might rent one, buy one or rent the use of acreages already planted to cotton but available to him because of unintended or deliberate overplanting on the part of the owner or some similar circumstance.

Mr. GATHINGS. The intention of this legislation is to permit the man who owns an allotment where water has covered the particular land to acquire land on higher ground, by whatever means, in order to plant that allotment of cotton for 1958.

Mr. HAGEN. Mr. Speaker, I withdraw my reservation.

Mr. HILL. Mr. Speaker, I know of no opposition on this side.

(Mr. HILL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HILL. Mr. Speaker, the Department of Agriculture is to be highly commended for its dispatch in reporting to the House Committee on Agriculture their recommendations for the transfer of cotton-acreage allotments for 1958 only to aid those cottongrowers who have been flooded out by excessive rains this year.

It will be recalled that as late as May 16, Members of this body called on the Department to recommend some temporary action to alleviate this tragic situation. They pointed out correctly that these rains in 1958, coupled with the disaster in 1957 resulting from excessive rainfall, threatened the economy of the Midsouth and endangered this Nation's ability to produce the quality cotton needed to supply our domestic and foreign markets.

The Department moved swiftly. General Counsel Robert L. Farrington and his office worked to put into proper language the proposal devised in the Cotton Division of the Commodity Stabilization Service by Deputy Administrator H. Lawrence Manwaring and Mr. Marion Rhodes.

Policy agreement was secured by the expeditious work of Assistant Secretary of Agriculture Marvin L. McLain, and on May 21 the recommendations of the Department to solve this situation were sent to Chairman Cooley by Secretary Benson.

This illustrates the deep concern and desire to alleviate the effects of this disaster condition in the Midsouth of the entire Department. It illustrates also the effective organization of the Department and its ability to move swiftly to take needed action.

H. R. 12602, reported by the Committee on Agriculture, is recommended by the Department of Agriculture. It is their solution to the problem, and I trust that the House will take immediate action. Briefly, the legislation provides that when the Secretary finds that the production of cotton in any county is threatened by a natural disaster, he may authorize the transferring of all or part of a cotton-acreage allotment from

rained-out land to another location either in the county or in an adjoining county. In so doing, the flooded farm retains its cotton history as does the affected county, and no new history is created. This authority is given the Secretary only for this current year.

This legislation recognizes the depressed situation created in the cotton areas because of the 1957 floods and excessive rainfalls. It recognizes the economic conditions caused by this subnormal yield of cotton in those areas in 1957 and the threat that 1958 will see a repeat of that disaster. It seeks to alleviate and prevent such a disaster both to the local cotton-producing areas and to the potential shortages in quality cotton.

This legislation, temporary in nature though it is, is imperative to stabilize the cotton industry in America.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 344 of title III of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (n) reading as follows:

"(n) Notwithstanding any other provision of this act, if the Secretary determines that because of a natural disaster a substantial portion of the 1958 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Acreage history credits for transferred acreage shall be governed by the provisions of subsection (m) (2) of this section pertaining to the release and reapportionment of acreage allotments. No transfer hereunder shall be made to a farm covered by a 1958 acreage reserve contract for cotton."

With the following committee amendment:

Page 2, line 1, strike out "it" and insert "to."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. GATHINGS asked and was given permission to extend his remarks at this point in the RECORD.)

[Mr. GATHINGS' remarks will appear hereafter in the Appendix.]

#### PROGRAM FOR NEXT WEEK—ADJOURNMENT FROM THURSDAY TO MONDAY NEXT

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I take this time in order to ask the majority leader if he will provide us with the pro-

gram for the balance of this week and next week.

Mr. McCORMACK. I will be very happy to do so.

There is no further legislative business for this afternoon, and there will be no legislative business tomorrow.

Mr. Speaker, I ask unanimous consent that when the House adjourns on tomorrow it adjourns to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. The legislative business for next week is as follows:

On Monday the Consent Calendar will be called, and there will be three suspensions, as follows:

First, the bill S. 734, the Federal Employees Salary Increase, a bill relating to classified employees.

Second, House Concurrent Resolution 332, known as the Space Control, Peaceful Exploration Resolution which I introduced with a unanimous vote at the request of the Select Committee on Outer Space, and which has been reported out of the Committee on Foreign Affairs.

Third, the bill H. R. 7466, having to do with the Fort Pemberton National Monument.

Then there is the bill H. R. 12575, the national space control program. That is the bill that establishes the new agency recommended by the President and also urged by Senator JOHNSON of Texas, myself, and others, in connection with astronautics and outer space. It has the unanimous report of the select committee.

Then, if we can reach it, and I hope the members of the Committee on Banking and Currency are able to harmonize their differences so that it can be taken up and passed without much difficulty, House Joint Resolution 614, amending the National Housing Act.

If there are any rollcall votes on Monday, Tuesday, and Wednesday they will not be taken until Thursday because of primaries in California, Montana, and South Dakota. It would be rather hard to pull a Member back the next day after a primary, so any rollcalls on those 3 days will go over until Thursday.

As to the program for Tuesday and the rest of the week, the Private Calendar will be called on Tuesday.

Then the Defense Department appropriation bill for 1959 will come up for consideration.

Following the completion of the appropriation bill the Trade Agreements Extension Act of 1958, H. R. 12591, will come up.

Thereafter, if there is time, we will take up the bill H. R. 12695, the Tax Rate Extension Act of 1958, a bill reported out of the Committee on Ways and Means extending certain excise taxes that expire on June 30.

On Thursday there will be a joint meeting of both Houses of the Congress to receive the President of the Federal Republic of Germany. Unanimous consent has already been granted for that



I make the usual reservations, that conference reports may be called up at any time, and that any further program will be announced later.

Mr. ARENDS. May I say to the majority leader that I am glad he called attention to House Joint Resolution 614, to amend the National Housing Act. In the situation in which we find ourselves at this particular moment, unless there can be some agreement there is a question of whether a vote will be had on this particular legislation.

Mr. McCORMACK. I am glad my friend called that to my attention. I hope the Members can harmonize their differences and we can dispose of that Monday. If they harmonize their differences, I am confident we can get it through. But if difficulty arises and we cannot bring it up, and there is reasonable urgency for the passage of other legislation, I cannot see that it can be programed again until the middle or latter part of the following week, with all this other legislation having priority. I have put it on the program for Monday in the hope that between now and Monday something can be worked out and that there will be a compromise for the time being so that we can get the bill through on Monday.

Mr. ARENDS. I thank the gentleman.

**ADDRESS BY HON. SAM RAYBURN  
BEFORE THE NATIONAL PRESS  
CLUB OF WASHINGTON ON  
THE IMPORTANCE OF PRESERVING  
THE NATIONAL CAPITOL  
THROUGH COMPLETION OF THE  
EAST FRONT EXTENSION PROJECT**

Mr. THORNBERRY. Mr. Speaker, on yesterday, May 27, 1958, the Honorable SAM RAYBURN, the Speaker of the United States House of Representatives, delivered before the National Press Club of Washington a splendid and effective address on the importance of preserving the National Capitol through the completion of the east front extension project.

Because I think the Members of the House should have the benefit of the facts and clear logic which the Speaker so ably presented in support of this project, I ask unanimous consent to insert it in the RECORD.

Mr. RAYBURN's speech is as follows:

REMARKS OF SPEAKER SAM RAYBURN BEFORE THE NATIONAL PRESS CLUB, WASHINGTON, D. C., MAY 27, 1958

The most important purpose of the east front extension project is the preservation of the building itself. The facing of the central section of the east front is made of soft sandstone. By 1819 it had begun to deteriorate and the first coat of paint was applied. Today this sandstone wears 35 coats of paint.

At first the paint was successful, but now it cracks, peels, and pulls off the surface skin of the stone. Then water gets in the cracks, freezes, and chips off great flakes.

Time and weather have worn down and ruined many moldings and carved ornaments. Sections of the cornice have fallen, varying in size from that of a baseball to chunks weighing as much as 60 pounds.

The capital of one column is held together by wire rope, which is clearly visible from the ground.

Several columns are cracked, some cracks extending into the base moldings.

There are many cracks in the walls, some extending the full thickness of the wall. Some have opened up since the last painting 2 years ago.

There is a bad crack in the cornice of the portico which extends up through the pediment, and shows signs of movement.

In 1940 it was necessary to plaster the foundation walls with cement mortar to keep out the rats which were burrowing through the original lime mortar which had decomposed so far that the rodents could find their way through.

Some time ago the scroll of the Constitution in the hand of one of the figures fell on the steps and now is held up by a couple of bolts.

A lot of people have had various suggestions as to replacing some of the stones or all of the stones or adding new coats of paint. Some even insist that the same kind of sandstone be used.

But unless we remedy the cause of the cracks, they will reappear.

It boils down to this: The stones we can't save. The design we can. And we can save it better and more safely on a new wall 32½ feet to the east.

And let me point out something that many people have overlooked—even after the central portion has been extended 32½ feet, it still will be 40 feet back of the front line of the House and Senate wings. The present indented appearance of the east front will be preserved.

The second major purpose of this project is to correct the architectural defect caused by the overhanging dome.

Thomas U. Walter designed the House and Senate wings of the Capitol. Before he started his construction, he warned President Fillmore that when these wings were added, they would make the old dome built by Bulfinch look out of proportion. He was right. The dome looked ridiculous and unimpressive.

So Walter was commissioned to design a proper dome. The diameter of the rotunda was too small to hold it, so he very cleverly designed a cast-iron dome which could be supported by brackets fastened to the wall of the rotunda.

Thus the dome extended out over the rotunda walls and over the east portico. This was a grave architectural defect because the dome is without visual support.

Walter advised President Lincoln that to restore the equilibrium of the dome, to provide it with visual support and not detract from the elegance of the portico, it would be essential to extend the east front.

Walter's opinion has been shared by every architect of the Capitol since that time—a period of more than 100 years.

The overwhelming weight of expert professional opinion has been behind this project for generations.

Some of the greatest architects of the first half of this century approved the extension. This group included John Russell Pope, whose work included the Jefferson Memorial, the National Archives, and the National Gallery of Art; Henry Bacon, designer of the Lincoln Memorial; Carrere and Hastings, architects for the New York Public Library and the Old House and Senate Office Buildings, and Cass Gilbert, designer of the United States Supreme Court Building.

In recent weeks the plans for the extension have been carefully reviewed and fully approved by such great living architects as William Adams Delano, who was architectural consultant for the renovation of the White House; Otto R. Eggers, who worked on the National Art Gallery, the National Archives, and the Jefferson Memorial, and James K. Smith, whose firm designed the Arlington Memorial Bridge.

Recently the executive committee of the Washington Chapter of the Institute of Architects reviewed the plans, then passed a resolution approving them.

This work has been approved by dozens and dozens of the great names of the architectural world, and the committee of advisory architects on the project consists of men renowned the world over for their genius and their professional integrity.

By the adoption of the plan to extend the east front, which is the most practical and safest way to preserve the facade and design of the Capitol, and is the only practicable way to correct the grave architectural defect of the overhanging dome, we obtain another advantage.

This plan will make available additional space which is desperately needed in the Capitol Building.

We must remember, as Congressman CLARENCE CANNON recently told the House, that the Capitol is a workshop not a museum. Almost all of the offices which serve the instantaneous needs of the Congress are badly overcrowded, thus reducing their efficiency.

And I don't need to tell the members of the press about the desperate need for more public facilities to serve the ever-increasing flood of visitors, both tourists and those on business. The need for additional restaurant space and restrooms is particularly acute.

For each of the last 2 years we have had more than 5 million visitors a year coming through the Capitol. You all know the loss of time suffered in trying to get a seat in one of the restaurants, even when you are alone, and if you have friends and constituents with you, the wait can be long indeed.

The completion of the east front extension will allow this situation to be corrected in large part.

Many people forget that the building, rebuilding, and remodeling of the Capitol has been almost continuous since it was built. Let us review a bit of the history of this building:

As early as 1803, Benjamin Latrobe, whom Jefferson selected as Architect of the Capitol, found the work done to date "so unfaithfully performed" that he tore out a large percentage of it, replacing wood floors and partitions with masonry. He also changed the original design for the Chamber of the House before the fire of 1814 and again after the fire. He moved the Senate Chamber from the ground floor to the principal floor and put the Supreme Court on the ground floor.

Latrobe also deleted the steps originally designed for the west front and put them on the east, increasing the width of the east portico thus completely changing the original design of the east front.

Years later, after the House and Senate wings were constructed the sloping floor of the old House Chamber—now Statuary Hall—was replaced by the level floor on which we walk today.

In 1898 a gas explosion in the basement ruined the law library and the Supreme Court Chamber above, and burned out the roof and cupola over the oval room just north of the rotunda, and these had to be restored.

Around the turn of the century (1901-3) the area previously occupied by the Library of Congress was remodeled for office space. New portions of the roof were installed, and electric lighting and elevators were added.

In 1915 the east front had its old central steps replaced by the present granite steps.

In 1937 air-conditioning was installed.

In 1949 and 1950 the present House and Senate Chambers were completely remodeled and the roof lines were changed. There was no hesitancy in removing deteriorated historic portions. The historic glass seals of the States were removed from the old sky-



been allowed to act upon it. Instead we hear talk of waiting until we get the entire housing bill for this year. That is a bill which the committee, as I understand, is still studying, a bill which it will take several days to mark up, a bill which is some 80 pages long as it now stands, and is full of many points on which many Senators will have many questions to ask before approval is voted. And from there it must go to the House committee, and then to the House. Possibly after that it must go to conference. It will take long days and weeks before we can have final action.

Why, I ask, must we throw our entire home construction industry out of gear? Why must we wait? I, for one, feel that we must act and act immediately to provide the additional FHA authorizations, unencumbered by any other housing problems, so that we do not plunge this key industry back to the level from which it has risen so well, so strongly, in less than 2 months.

Mr. SPARKMAN. Mr. President, may we have a vote?

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc.,* That section 217 of the National Housing Act is amended by striking out "\$3,000,000,000" and inserting in lieu thereof "\$7,000,000,000."

The PRESIDING OFFICER. The Senator from Rhode Island [Mr. GREEN] has the floor.

Mr. JOHNSTON of South Carolina, Mr. PURTELL, and Mr. EASTLAND addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield; and, if so, to whom?

Mr. GREEN. I yield to the Senator from South Carolina [Mr. JOHNSTON].

#### THE POSTAL PAY AND RATE BILL

Mr. JOHNSTON of South Carolina. Mr. President, I am pleased and happy that the President approved the postal bill, thereby bringing to an end the long stalemate and controversy over the salaries of postal employees.

From a start, early last year, when the President took an adamant stand against any increase in postal employees' salaries—climaxed by his veto of a bill providing an average 12 percent salary increase last August—to his signature of the over 10 percent bill last night, the Congress has come a long way in convincing the President of the merits of its position. I am happy the Nation's postal employees are not again to be denied a meritorious increase because of another veto.

I was shocked to read the President's comments on the postal policy section in the law. The President certainly cannot be familiar with the theories or the details involved in this controversy.

Stated simply, the cost of handling one item—free-in-county newspapers—is \$14 million annually. The loss in revenue is computed to be \$1 million if carried at the established rate instead of being carried free. Under the President's concept as expressed, only the \$1 million loss of revenue would be charged off as a public service item. The policy statement declares that the total cost of handling this mailing, or the full \$14 million,

should be charged as a public service item and not charged to other users of the mail.

What class of mail, pray tell, does the President think should bear the cost of this item repeatedly approved by Congress and endorsed by him?

Mr. President, we intend to accept the President's request and study this feature. We think, however, other items should be added to it and nothing taken away.

#### FARM ACREAGE ALLOTMENT

Mr. EASTLAND. Mr. President, will the Senator from Rhode Island yield so that I may request consideration of a noncontroversial bill?

Mr. GREEN. I yield so that the Senator may introduce a noncontroversial bill.

Mr. EASTLAND. No. Will the Senator yield so that I may have a noncontroversial bill considered?

Mr. GREEN. I yield to the Senator for 1 minute for the purpose of having a noncontroversial bill considered.

Mr. EASTLAND. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1656, S. 3890, a bill to amend the Agricultural Adjustment Act of 1938, as amended.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S3890) to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm-acreage allotments for cotton in the case of natural disasters, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Mississippi.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3890) to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

Mr. EASTLAND. Mr. President, the bill simply provides that in cases of disasters, and in particular in cases of land which is under water because of floods, which land cannot be timely planted, the cotton acreage can be transferred to an adjoining farm or to a farm in an adjoining county and planted, provided the farmer who has suffered because of the flood is interested financially in the production of the cotton on the land where the allotment is transferred. The history of the cotton acreage planted will remain on the farm which has suffered the disaster.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. KNOWLAND. I should like to ask the Senator what is meant by the expression "substantial portion" of a county's allotment as used in the bill.

Mr. EASTLAND. I have raised that question with the Department of Agriculture. The interpretation they give of the term "substantial portion" is that it means several farms within a county or an area of a county.

Mr. KNOWLAND. What is the interpretation of "several farms"?

Mr. EASTLAND. I raised that question with the Department also, and their interpretation of their own term is that it means from 4 to 5 or 6 farms within a county. They do not want the legislation to be so loosely written that an individual farm would offer sufficient grounds on which to honor a request that it be classified as a disaster area in a county. I judge in reality it would mean more than one farm.

The Department has assured me that it will endeavor to take care of all legitimate areas which have suffered natural disasters, which prevent farmers from timely planting or replanting their cotton acreage allotments.

Mr. KNOWLAND. Then the bill would take care of the type of situation experienced in California, Mississippi, Arkansas, Missouri, and other similar situations?

Mr. EASTLAND. And the situation in the State of Louisiana.

Mr. KNOWLAND. And the situation in Louisiana.

Mr. EASTLAND. The Senator is correct, with the inclusion of Louisiana.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. KUCHEL. Where, for example, A, B, and C own a farm in county 1, and A, B, and X own a farm in county 2, is the bill intended to afford relief to A, B, and C if the farm in county 1 is flooded, by the Department authorizing appropriate use of a portion of the farm in county 2?

Mr. EASTLAND. Yes; the Senator is correct.

Mr. KUCHEL. I thank the Senator.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That section 344 of title III of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (n) reading as follows:

"(n) Notwithstanding any other provision of this act, if the Secretary determines that because of a natural disaster a substantial portion of the 1958 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Acreage history credits for transferred acreage shall be governed by the provisions of subsection (m) (2) of this section pertaining to the release and reapportionment of acreage allotments. No transfer hereunder shall be made to a farm covered by a 1958 acreage reserve contract for cotton."

#### MUTUAL SECURITY ACT OF 1958

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1657,



House bill 12181, to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment, to strike out all after the enacting clause and insert:

That this act may be cited as the "Mutual Security Act of 1958."

SEC. 2. Section 2 of the Mutual Security Act of 1954, as amended, which relates to a statement of policy, is amended by adding the following subsection:

"(d) The Congress recognizes the importance of the economic development of the Republic of India to its people, to democratic values and institutions, and to peace and stability in the world. Consequently, it is the sense of the Congress that it is in the interest of the United States to join with other nations in providing support of the type, magnitude, and duration, adequate to assist India to complete successfully its current program for economic development."

SEC. 3. Title I, chapter 1, of the Mutual Security Act of 1954, as amended, which relates to military assistance, is further amended by striking out "1958" and "\$1,600,000,000" in section 103. (a) and substituting "1959" and "\$1,800,000", respectively; and by adding the following new sentences to section 105 (b) (4): "The President annually shall review such findings and shall determine whether military assistance is necessary. Internal security requirements shall not normally be the basis for military assistance programs to American Republics."

SEC. 4. Title I, chapter 3, of the Mutual Security Act of 1954, as amended, which relates to defense support, is further amended by striking out "1958" and "\$750,000,000" in section 131 (b) and substituting "1959" and "\$835,000,000," respectively.

SEC. 5. Title I, chapter 4, of the Mutual Security Act of 1954, as amended, which contains general provisions relating to mutual defense assistance, is amended by inserting before the period at the end of section 142 (b) (iii), relating to the special foreign currency account, a colon and the following: "Provided, That if amounts in such remainder exceed the requirements of such programs, the recipient nation may utilize such excess amounts for other purposes agreed to by the United States which are consistent with the foreign policy of the United States."

SEC. 6. Title II of the Mutual Security Act of 1954, as amended, which relates to the Development Loan Fund, is further amended as follows:

(a) Amend section 202, which relates to general authority, as follows:

(1) Strike out subsection (a) and substitute the following:

"(a) To carry out the purposes of this title, there is hereby created as an agency of the United States of America, subject to the direction and supervision of the President, a body corporate to be known as the 'Development Loan Fund' (hereinafter referred to in this title as the 'Fund') which shall have succession in its corporate name. The Fund shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be a resident thereof. It may establish offices in such other place or places as it may deem necessary or appropriate."

(2) In subsection (b), strike out all preceding "is hereby" in the first sentence and substitute "the Fund"; strike out "he" in the first sentence and substitute "it"; strike out "and (3)" in the first sentence and substitute "(3)"; insert before the period at the end of the first sentence "and (4)

the possible adverse effects upon the economy of the United States, with special reference to areas of substantial labor surplus, of the activity and the financing operation or transaction involved"; strike out "from" in the second sentence and substitute "by"; insert after the third sentence "The provisions of section 955 of title 18 of the United States Code shall not apply to prevent any person, including any individual, partnership, corporation, or association, from acting for or participating with the Fund in any operation or transaction, or from acquiring any obligation issued in connection with any operation or transaction, engaged in by the Fund."; and strike out the last two sentences and substitute the following new sentence: "The President's semiannual reports to the Congress on operations under this act, as provided for in section 534 of this act, shall include detailed information on the implementation of this title."

(b) Amend section 204, which relates to fiscal provisions, as follows:

(1) In subsection (b), substitute "Fund" for "President" in the first sentence and strike out "against the Fund" in that sentence; change "authorized" to "made available" in the second sentence; and insert "assets of the" before "Fund" in the third sentence.

(2) Strike out subsection (c) and substitute the following:

"(c) The Fund shall be deemed to be a wholly owned Government corporation and shall accordingly be subject to the applicable provisions of the Government Corporation Control Act, as amended."

(c) Amend section 205, which relates to powers and authorities, as follows:

(1) Insert "management," before "powers" in the heading of the section.

(2) Strike out subsections (a) and (b) and substitute the following new subsections:

"(a) The management of the Fund shall be vested in a Board of Directors (hereinafter referred to in this title as the 'Board') consisting of the Under Secretary of State for Economic Affairs, who shall be Chairman, the Director of the International Cooperation Administration, the Chairman of the Board of Directors of the Export-Import Bank, the Managing Director of the Fund, and the United States Executive Director on the International Bank for Reconstruction and Development. The Board shall carry out its functions subject to the foreign policy guidance of the Secretary of State. The Board shall act by a majority vote participated in by a quorum; and three members of the Board shall constitute a quorum. Subject to the foregoing sentence, vacancies in the membership of the Board shall not affect its power to act. The Board shall meet for organization purposes when and where called by the Chairman. The Board may, in addition to taking any other necessary or appropriate actions in connection with the management of the Fund, adopt, amend and repeal bylaws governing the conduct of its business and the performance of the authorities, powers and functions of the Fund and its officers and employees. The members of the Board shall receive no compensation for their services on the Board but may be paid actual travel expenses and per diem in lieu of subsistence under the Standardized Government Travel Regulations in connection with travel or absence from their homes or regular places of business for purposes of business of the Fund.

"(b) There shall be a Managing Director of the Fund who shall be the chief executive officer of the Fund, who shall be appointed by the President of the United States by and with the advice and consent of the Senate, and whose compensation shall be at a rate of \$20,000 a year. There shall also be a Deputy Managing Director of the Fund,

whose compensation shall be at a rate not in excess of \$19,000 a year, and three other officers of the Fund, whose titles shall be determined by the Board and whose compensation shall be at a rate not in excess of \$18,000 per year. Appointment to the offices provided for in the preceding sentence shall be by the Board. The Managing Director, in his capacity as chief executive officer of the Fund, the Deputy Managing Director and the other officers of the Fund shall perform such functions as the Board may designate and shall be subject to the supervision and direction of the Board. During the absence or disability of the Managing Director or in the event of a vacancy in the office of Managing Director, the Deputy Managing Director shall act as Managing Director, or, if the Deputy Managing Director is also absent or disabled or the office of Deputy Managing Director is vacant, such other officer as the Board may designate shall act as Managing Director. The offices provided for in this subsection shall be in addition to positions otherwise authorized by law."

(3) In subsection (c):

(i) Strike out all in the first sentence preceding "enter into" and substitute "the Fund, in addition to other powers and authorities vested in or delegated or assigned to the Fund or its officers or the Board, may";

(ii) Strike out "may be deemed" in the first clause of the first sentence and substitute "it may deem";

(iii) Strike out "under this title" in the fourth clause of the first sentence and substitute "of the Fund";

(iv) Strike out "the Manager of" in the fifth clause, both times it appears in the seventh clause, and in the last clause of the first sentence;

(v) Insert after the seventh clause of the first sentence, following "collection," the following: "adopt, alter, and use a corporate seal which shall be judicially noticed; require bonds for the faithful performance of the duties of its officers, attorneys, agents, and employees and pay the premiums thereon; sue and be sued in its corporate name (provided that no attachment, injunction, garnishment, or similar process, mesne or final, shall be issued against the Fund or any officer thereof, including the Board or any member thereof, in his official capacity or against property or funds owned or held by the Fund or any such officer in his official capacity); exercise, in the payment of debts out of bankrupt, insolvent or decedent's estates, the priority of the Government of the United States; purchase one passenger motor vehicle for use in the continental United States and replace such vehicle from time to time as necessary; use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government";

(vi) Strike out all following "operation" in the last clause of the first sentence and substitute "or in carrying out any function."

(vii) Insert the following new sentence after the first sentence of the subsection: "Nothing herein shall be construed to exempt the Fund or its operations from the application of sections 507 (b) and 2679 of title 28, United States Code, or of section 367 of the Revised Statutes (5 U. S. C. 316), or to authorize the Fund to borrow any funds from any source without the express legislative permission of the Congress."

(4) Insert the following new subsections: "(d) The Fund shall contribute from the respective appropriation or fund used for payment of salaries, pay, or compensation, to the civil service retirement and disability fund, a sum as provided by section 4 (a) of the Civil Service Retirement Act, as amended (5 U. S. C. 2254a), except that such sum shall be determined by applying to the total basic salaries (as defined in that act) paid to the employees of the Fund







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued June 2, 1956  
For actions of May 29, 1953  
85th-2d, No. 86

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HIGHLIGHTS: Senate passed bill to permit transfer of cotton allotments due to excessive rainfall. Senate committee reported bill to revise procedures for election of SCS farmer committeemen. Senate debated mutual security authorization bill.

## HOUSE

1. PERSONNEL AWARDS. The Education and Labor Committee reported with amendment H. R. 488, to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement (H. Rept. 1831). p. 3841
2. ELECTRIFICATION; RECLAMATION. Rep. Ullman criticized the operations of the Idaho Power Co. in the construction of dams in preference to the Hells Canyon dam, and inserted excerpts from a recent committee print of the Senate Interior and Insular Affairs Committee relative to certain proposals made by the company to the Bonneville Power Administration which he stated "provide all the documentation needed to illuminate the Idaho Power Co.'s latest scheme of subsidized underdevelopment." pp. 3839-40
3. TRANSPORTATION. Received memorials from the Miss. Legislature urging the removal of "discriminatory regulations as they apply to transportation by railroads," and favoring the repeal of the Federal excise tax upon the transportation of passengers and freight. pp. 3841, 3762
4. BUDGETING. Both Houses received from this Department "reports prior to the restoration of balances under the appropriation and fund accounts 'Salaries and

Expenses, Commodity Exchange Authority, 1957,' 'Salaries and Expenses, Office of the Secretary of Agriculture, 1957,' and 'Consolidated Working Fund, Agricultural Marketing Service, 1957''; to Government Operations Committees. pp. 8762, 8841

5. ADJOURNED until Mon., June 2. p. 8841

SENATE

6. COTTON ACREAGE ALLOTMENTS. Passed without amendment H. R. 12602, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, in place of S. 3890, an identical bill, the passage of which was reconsidered and the bill postponed. This bill will now be sent to the President. pp. 8761-2
7. WILDLIFE; INSECTICIDES. Passed as reported S. 2447, to authorize studies by the Interior Department of the effects of insecticides upon fish and wildlife. The committee amendments added pesticides to herbicides and fungicides and authorized continuing studies for such purposes in place of \$280,000 per annum to carry out such objectives. pp. 8777-8
8. FARMER COMMITTEES. The Agriculture and Forestry Committee reported with amendment S. 1436, to amend various provisions of law regarding ASC committees, to provide for administration of the farm program by farmer-elected committees, etc. (S. Rept. 1646). p. 8764
9. FOREIGN AID. Continued debate on H. R. 12181, the mutual security authorization bill. pp. 8769, 8785-9, 8804-8, 8813-14
10. WHEAT. Sen. Humphrey inserted a resolution from the Aitkin County, Minn., Farmers' Union urging all producers to vote in favor of price supports and marketing quotas on the 1959 wheat crop. pp. 8762-3
11. ALCOHOL. Sen. Humphrey inserted a resolution from the Franklin, Minn., Chamber of Commerce, urging the Federal Government to build and operate plants to convert corn and wheat into industrial alcohol to solve the farm surplus problem. p. 8763
12. CORN TASSEL. Sen. Humphrey inserted a resolution from the Minn. Federation of Women's Clubs, urging the adoption of the corn tassel as our national flower. p. 8763
13. TOBACCO. Sen. Morton inserted comments by six scientists challenging the validity of findings that cigarettes cause lung cancer. pp. 8782-5
14. MARKETING; ECONOMIC SITUATION. Sen. Potter inserted statements by participants in an economic mobilization conference, including the chairman of the Jewel Tea Co., who spoke on developments in the food industry (pp. 8800-1). pp. 8792-8804
15. ADJOURNED until Mon., June 2. p. 8826





# Congressional Record

United States  
of America

PROCEEDINGS AND DEBATES OF THE 85<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 104

WASHINGTON, THURSDAY, MAY 29, 1958

No. 86

## Senate

(Legislative day of Wednesday, May 28, 1958)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, as on the morrow the Nation pauses to honor its valiant defenders, we are grateful for the cleansing ministry of memory and for the rich heritage of noble deeds which remembered yesterdays bequeath to us. Conscious that we are eating of vineyards that we did not plant and drinking at cisterns we did not dig, we would enter reverently into the spirit of this sacred day of remembrance, bearing in our hands and in our hearts the evergreens of gratitude and the forget-me-nots of love. We would raise our jubilate that visions and ideas and ideals have no sepulchers and march on to their coronation, even when bugles are sounded as the starry banner enfolds the dead.

With the confident faith that the way of the Republic is down no fatal slope, but up to freer sun and air, we pray for a just and righteous peace in our time—

The peace that comes of purity,  
And strength to simple justice due:  
So runs our loyal dream of Thee;  
God of our fathers, make it true.  
Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, May 28, 1958, was dispensed with.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session,  
The VICE PRESIDENT laid before the Senate messages from the President of

the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7999. An act to provide for the admission of the State of Alaska into the Union;

H. R. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives; and

H. R. 12602. An act to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

### HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were each read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 7999. An act to provide for the admission of the State of Alaska into the Union; placed on the calendar.

H. R. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives; to the Committee on Rules and Administration.

### TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be the usual morning hour, for the introduction of bills and the transaction of other routine business, and that statements made in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

### LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the consideration of the Senate, and after clearing these measures with the minority leader, I desire to state that it is very possible that certain small bills—namely, Calendar No. 1622, Senate bill 2447, regarding studies of the effects of insecticides, and so forth; Calendar No. 1395, Senate bill 3295, to increase the authorization for the fisheries loan fund; Calendar No. 1654, House bill 8439, to cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended; and Calendar No. 1668, Senate bill 2119, to expedite the utilization of television facilities in public schools and colleges, and in adult training programs—will be considered later this afternoon. It is the understanding of the majority leadership that they are non-controversial, and either have been cleared or will be cleared with the other side.

Mr. President—

The VICE PRESIDENT. The Senator from Montana.

### FARM ACREAGE ALLOTMENT

Mr. MANSFIELD. Mr. President, yesterday the Senate passed Senate bill 3890, to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes. It was understood that if the corresponding House bill were passed, it would be called up for consideration by the Senate.

I now move that the Senate proceed to the consideration of House bill 12602, the corresponding House bill, in view of the fact that Senate bill 3890 is identical with House bill 12602, and in view of the further fact that Senate bill 3890 has not yet been messaged to the House of Representatives.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CURTIS. Is my understanding correct that these bills are identical and



that what is involved is merely a matter of substituting one for the other to avoid the necessity of a conference?

Mr. MANSFIELD. The Senator is correct. There is no difference between the two bills. The Senate bill has not been messaged to the House. The House bill has been passed and is before the Senate for consideration.

Mr. CURTIS. And the Senate bill was passed yesterday by unanimous vote of the Senate, and without objection?

Mr. MANSFIELD. Yes, it was passed unanimously.

The VICE PRESIDENT laid before the Senate the bill (H. R. 12602) to amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes, which was read twice by its title.

The VICE PRESIDENT. The question is on agreeing to the motion by the Senator from Montana to proceed to the consideration of House bill 12602.

The motion was agreed to; and the Senate proceeded to consider the bill.

The VICE PRESIDENT. The question is on the third reading and passage of the bill.

The bill (H. R. 12602) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that the vote by which Senate bill 3890 was passed be reconsidered, and that the bill be indefinitely postponed.

The VICE PRESIDENT. Without objection, the vote by which Senate bill 3890 was passed is reconsidered, and the Senate bill is indefinitely postponed.

#### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

##### REPORTS PRIOR TO RESTORATION OF BALANCES

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, reports prior to restoration of balances under the appropriation and fund accounts "Salaries and Expenses, Commodity Exchange Authority, 1937," "Salaries and Expenses, Office of the Secretary of Agriculture, 1957," and "Consolidated Working Fund, Agricultural Marketing Service, 1957" (with accompanying reports); to the Committee on Government Operations.

##### REPORT ON REVIEW OF MORTGAGE SERVICING OPERATIONS, FEDERAL NATIONAL MORTGAGE ASSOCIATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of mortgage servicing operations, Federal National Mortgage Association, Housing and Home Finance Agency, dated October 1957 (with accompanying report); to the Committee on Government Operations.

##### CONTINUATION OF ACCOUNTS WHEN VACANCY OCCURS IN OFFICE OF DISBURSING OFFICER OF GOVERNMENT PRINTING OFFICE

A letter from the Public Printer, United States Government Printing Office, Washington, D. C., transmitting a draft of proposed legislation to provide for the receipt and disbursement of funds and for continuation of accounts when there is a vacancy in the

office of the disbursing officer for the Government Printing Office, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

##### CLAIM OF SEMINOLE INDIANS V. THE UNITED STATES

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D. C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *Lincoln Burden, et al., for Themselves and as Members and Representatives of the Loyal Seminole Group of American Indians, Petitioners, v. the United States of America, Defendant*, Docket No. 121 (with accompanying papers); to the Committee on Interior and Insular Affairs.

##### CLAIMS OF UNITED NATION OF INDIANS AND OTTAWA TRIBE OF INDIANS V. THE UNITED STATES

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D. C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claims of *James Strong, et al., as the representatives and on behalf of all members by blood of the Chippewa Tribe of Indians, including all descendants of Chippewa members of the United Nation of Indians, plaintiffs v. the United States of America, defendant*, docket No. 13-J, and *Robert Dominic, et al., as the representatives and on behalf of all members by blood of the Ottawa Tribe of Indians, plaintiffs v. the United States of America, defendant*, docket No. 40-H (with accompanying papers); to the Committee on Interior and Insular Affairs.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Mississippi; to the Committee on Finance:

##### "House Concurrent Resolution 144

"Concurrent resolution memorializing the Congress of the United States to enact legislation providing for the repeal of the Federal excise tax upon the transportation of passengers and freight

"Whereas the Federal excise tax upon the transportation of passengers and freight was adopted in 1942 as a wartime tax to discourage the movement of civilian passengers and freight during World War II; and

"Whereas today, 12 years after the cessation of hostilities, there continues a 10-percent levy on the transportation of passengers and a 3-percent levy on the transportation of property, which taxes while collected by the common carriers of transportation by rail, by highway, by water, and in the air, are imposed upon and collected from the users of such transportation; and

"Whereas millions of dollars in revenues are paid to the State of Mississippi by those common carriers; and

"Whereas the tax upon the transportation of freight by reason of the transportation of raw materials to the point of manufacture and from the point of manufacture to processing and ultimate distribution to the consumer, frequently has a cumulative effect resulting in a heavy and burdensome tax upon the finished product and the consumer thereof; and

"Whereas such excise taxes on transportation by reason of the distance from the State of Mississippi and the markets for Mississippi products, agriculture, horticultural, and manufactured, impose a heavy and undue burden upon Mississippi shippers and also tend to burden tourist travel to and from the State of Mississippi; and

"Whereas the continuance of Federal excise taxes upon common carrier transportation of persons and property is no longer necessary: Now, therefore, be it

"Resolved by the House of Representatives of the State of Mississippi (the Senate concurring therein), That we respectfully urge and request the Congress of the United States to enact legislation which will provide for the repeal of the Federal excise taxes upon the transportation of persons and property; be it further

"Resolved, That the Secretary of State be directed to transmit a copy of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the Congress of the United States, and each member of the Mississippi delegation in the United States House of Representatives and the United States Senate and to the respective houses of the legislatures of the several States of the United States."

Two resolutions adopted at the 50th annual meeting of the Governors' Conference, at Bai Harbour, Fla., relating to the National Guard Bureau, and the strength of the National Guard; to the Committee on Armed Services.

A resolution adopted at the annual meeting of the stockholders of the United Park City Mines Co., at Salt Lake City, Utah, relating to relief for the domestic lead-zinc mining industry; to the Committee on Finance.

A telegram in the nature of a petition signed by George Benson, of Chicago, Ill., praying for the enactment of legislation to provide relief for class I railroads; to the Committee on Interstate and Foreign Commerce.

A telegram in the nature of a petition from the employees of Hyde Park Postal Station, Chicago, Ill., expressing their thanks for the passage of the postal pay raise bill; ordered to lie on the table.

#### RESOLUTION OF MALMO FARMERS UNION LOCAL, AITKIN COUNTY, MINN.

Mr. HUMPHREY. Mr. President, on May 16, 1958, the Malmo Farmers Union Local of Aitkin County, Minn., adopted a resolution urging that all wheat producers vote in favor of price supports and marketing quotas on the 1959 crop, and that additional effort be made to seek an improved farm program.

I ask unanimous consent that the resolution be printed in the Record, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Whereas wheat is produced by some farmers in the county; and

Whereas the price of wheat in 1959 will be directly affected by the results of the June 20 wheat election; and

Whereas a vote in favor of wheat supports and marketing quotas for 1959 will make a difference of about 80 cents a bushel in the price of wheat for the farmer; and

Whereas a lowering of farm prices on wheat or other farm commodities can only result in loss of purchasing power, a slump in business and employment in our rural trade centers; and

Whereas a large volume of necessary farm purchases for repairs, replacements and improvements is being delayed by the lack of farm buying power; and

Whereas nothing would be solved by ending farm supports and marketing quotas on wheat, since surpluses cannot be cured by expanding production, and farm income can-

85TH CONGRESS  
2D SESSION

# H. R. 12602

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IN THE SENATE OF THE UNITED STATES

MAY 29 (legislative day, MAY 28), 1958

Received; read twice, considered, read the third time, and passed

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## AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       That section 344 of title III of the Agricultural Adjustment  
4       Act of 1938, as amended, is amended by adding at the  
5       end thereof a new subsection (n) reading as follows:

6       “(n) Notwithstanding any other provision of this Act,  
7       if the Secretary determines that because of a natural disaster  
8       a substantial portion of the 1958 farm cotton acreage allot-  
9       ments in a county cannot be timely planted or replanted,  
10      he may authorize the transfer of all or a part of the cotton



1 acreage allotment for any farm in the county so affected  
2 to another farm in the county or in an adjoining county on  
3 which one or more of the producers on the farm from which  
4 the transfer is to be made will be engaged in the production  
5 of cotton and will share in the proceeds thereof, in accord-  
6 ance with such regulations as the Secretary may prescribe.  
7 Acreage history credits for transferred acreage shall be  
8 governed by the provisions of subsection (m) (2) of this  
9 section pertaining to the release and reapportionment of  
10 acreage allotments. No transfer hereunder shall be made to  
11 a farm covered by a 1958 acreage reserve contract for  
12 cotton.”

Passed the House of Representatives May 28, 1958.

Attest:

RALPH R. ROBERTS,

*Clerk.*



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## AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

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MAY 29 (legislative day, MAY 28), 1958

Received; read twice, considered, read the third time,  
and passed







Public Law 85-456  
85th Congress, H. R. 12602  
June 11, 1958

AN ACT

72 Stat. 186.

To amend the Agricultural Adjustment Act of 1938, as amended, to permit the transfer of 1958 farm acreage allotments for cotton in the case of natural disasters, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 344 of title III of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof a new subsection (n) reading as follows:

“(n) Notwithstanding any other provision of this Act, if the Secretary determines that because of a natural disaster a substantial portion of the 1958 farm cotton acreage allotments in a county cannot be timely planted or replanted, he may authorize the transfer of all or a part of the cotton acreage allotment for any farm in the county so affected to another farm in the county or in an adjoining county on which one or more of the producers on the farm from which the transfer is to be made will be engaged in the production of cotton and will share in the proceeds thereof, in accordance with such regulations as the Secretary may prescribe. Acreage history credits for transferred acreage shall be governed by the provisions of subsection (m) (2) of this section pertaining to the release and reapportionment of acreage allotments. No transfer hereunder shall be made to a farm covered by a 1958 acreage reserve contract for cotton.”

Approved June 11, 1958.

3540 E